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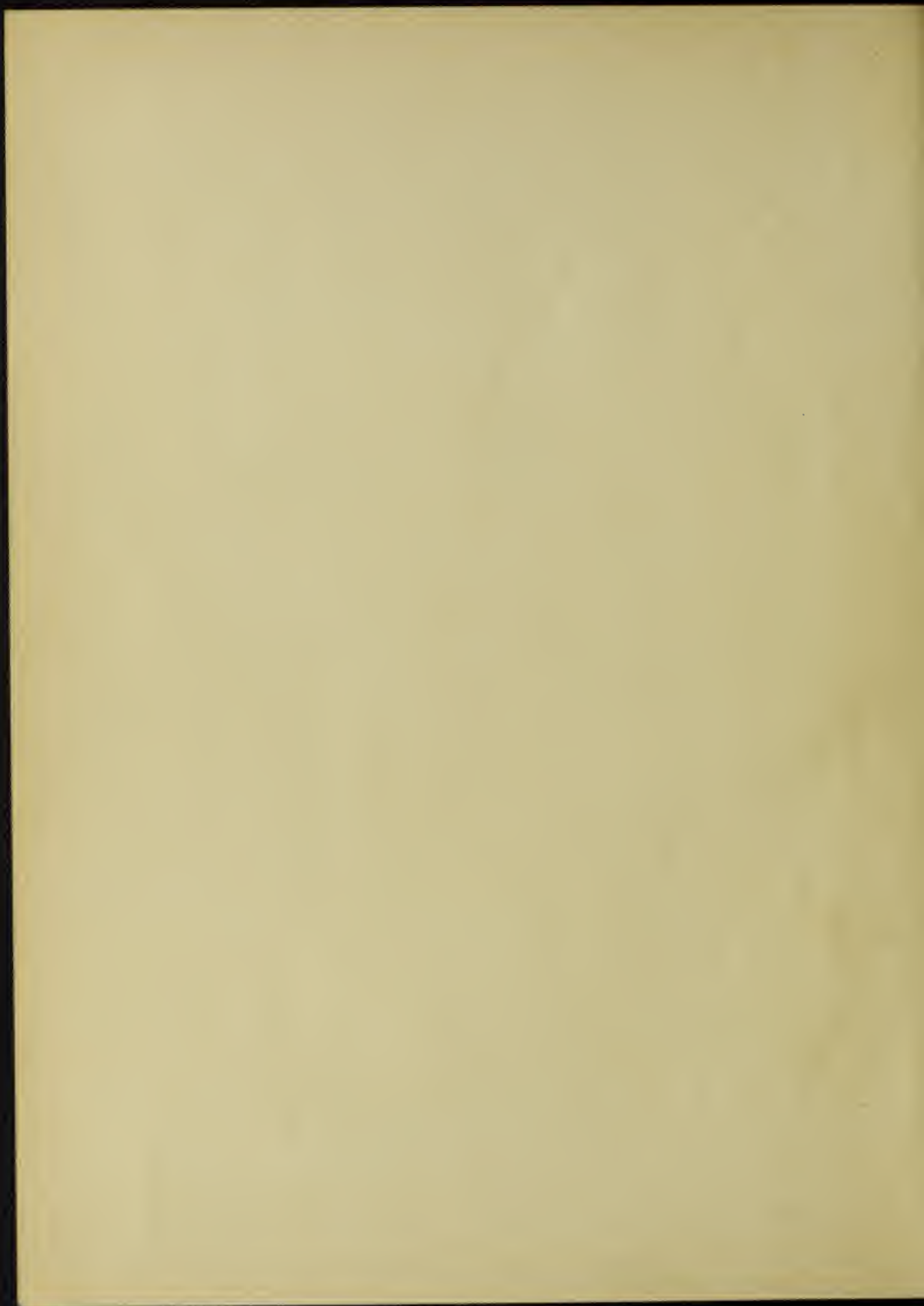
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JUDICIAL CRIMINAL STATISTICS

1937

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Prepared by RONALD H. BEATTIE
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Chief Statistician for Population

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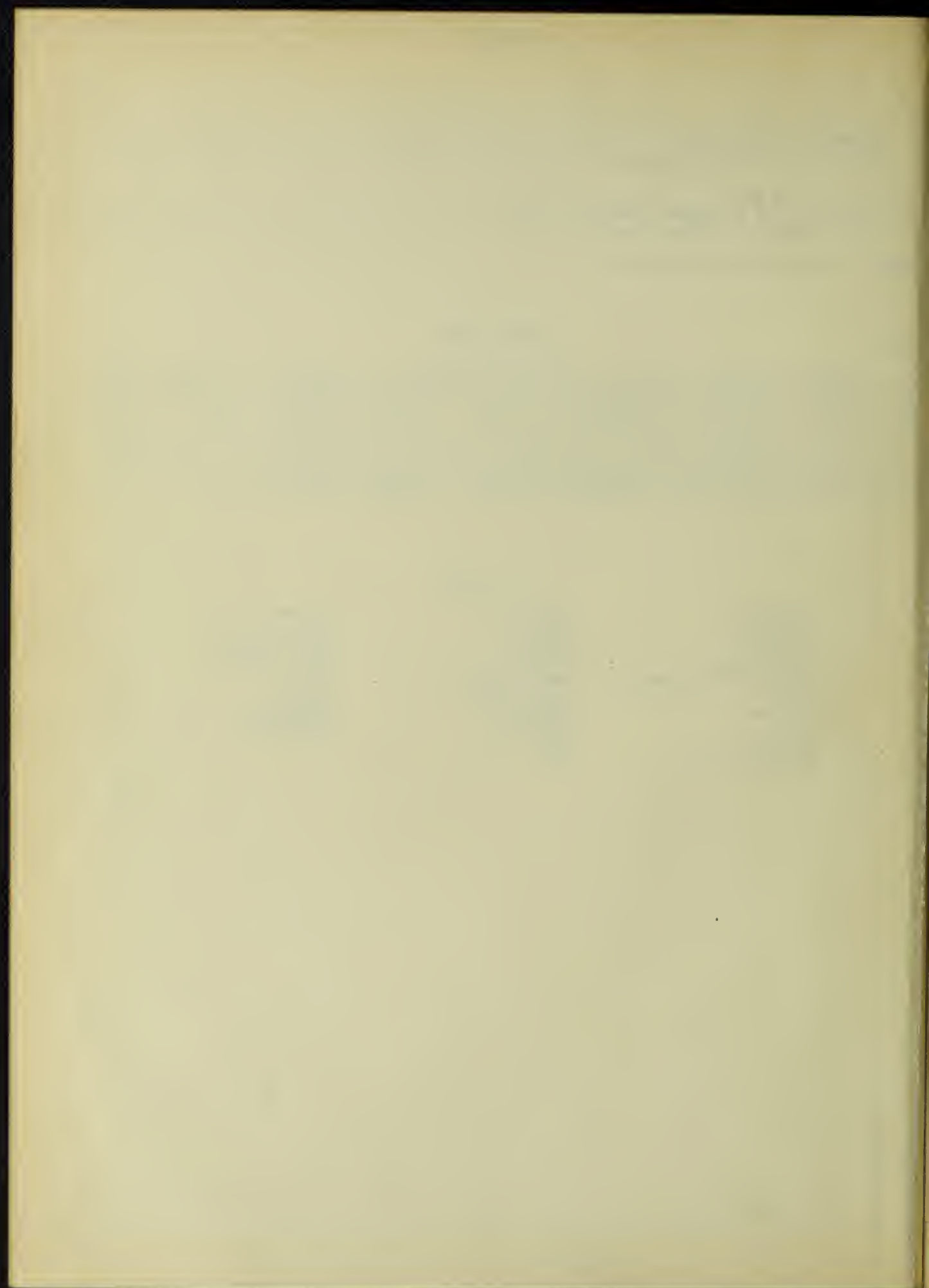
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STATE TABLES

Arizona	Michigan	Oregon
California	Minnesota	Pennsylvania
Colorado	Montana	Rhode Island
Connecticut	Nebraska	South Dakota
District of Columbia	New Hampshire	Utah
Idaho	New Jersey	Vermont
Indiana	New Mexico	Washington
Iowa	New York	Wisconsin
Kansas	North Dakota	Wyoming
Massachusetts	Ohio	



JUDICIAL CRIMINAL STATISTICS, 1937

Twenty-nine States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of by courts of general jurisdiction during the year 1937. This is the sixth year that the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States, 24 States furnished information for 1933, 27 for 1934, and 30 for 1935 and 1936. During the present year (1937) 2 States were dropped from the annual collection and 1 was added. Returns from the States of Illinois and Maine were so limited, one-third or less of the counties reporting, that it was thought advisable to exclude them. The State of New York was added this year as a result of the cooperation received from the New York Department of Correction in furnishing to the Census Bureau summaries of the judicial criminal reports collected by that Department.

Scope of statistics. The judicial criminal statistics gathered by the Census Bureau are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States there is a court of general jurisdiction in each county which has the authority in criminal cases to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender tried on a felony charge will be tried in a court of general jurisdiction although he may have a preliminary examination on the felony charge in a minor court. In a few States, the power to try and dispose of felony charges has been extended, in certain instances, to minor courts such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders who are arrested on a felony charge are disposed of finally in minor courts either by the dismissal of the charge at the preliminary examination or the reduction of the charge to a misdemeanor which is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case from the point of arrest or the filing of the first charge to final disposition will there be data available to give us an adequate picture of the administration of criminal justice.

Methods of collection. The judicial criminal statistics collected by the Census Bureau are based on an annual report made by the clerk of court in each county on two uniform tally sheets which are supplied by the Census Bureau. One provides for the tallying of all defendants disposed of during the year by offense and method of disposition; the other provides for tallying all persons convicted by offense and sentence imposed. The 1937 data were collected by this tally sheet method in 24 of the 29 States. Reports were received from New York and Massachusetts on the basis of the reporting forms used by the Departments of Correction in those respective States. For the District of Columbia, Minnesota, and the majority of the

Ohio counties, the data were gathered on the basis of individual case reports.

The accuracy of the data reported on the tally sheets necessarily depends on the amount of care with which the clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that instructions are necessarily general in order to apply to many jurisdictions, that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The matter of classifying cases according to offense and particular method of disposition or type of sentence also is quite difficult and results in a lack of uniformity, inasmuch as different clerks will have different ideas as to how an offender should be classified. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary is available, it is not likely to be in the same terms or units as the census reports. Further, if errors have been made in the process of tallying, there is no way to check or eliminate them except to repeat the entire process.

A new method of collecting judicial criminal statistics on the basis of individual case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The classification and tabulation of these cards is done for a State by a central statistical agency, insuring uniform classification and interpretation of the data reported from all counties. This method is far more flexible than the tally sheet method, as it makes possible a more intensive analysis of the data collected and, further, can quite easily be adapted to the particular record-keeping routines used by the different clerks of court. As considerably more work is required to tabulate, analyze, and summarize reports collected under the individual case method, it will be difficult for the Bureau of the Census to undertake the detailed work required in the collection of statistics by this method, for a large number of States. The collection made in the three jurisdictions mentioned has been carried on as an experiment to test out the practicability of this system. It is hoped that the various States will establish their own statistical bureaus. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the establishment of such State bureaus. A State agency will be able to work out a system which fits the particular law, procedure, and practice of the State and can make much more detailed analysis of the statistics gathered than is possible by a national agency dealing with all States.

Limitations of the statistics. There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page 7) that the 1937 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While each State usually has a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts which otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. However, the municipal courts of that State have been granted power to dispose of felony cases where the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain fairly complete coverage of the felony convictions in that State.

There is a great deal of unevenness in the extent of jurisdiction possessed by the general trial courts even within a single State. These courts have essentially a residual jurisdiction; that is, they handle and dispose of all types of cases that are not specifically given over to some other court for disposal. In some States this jurisdiction is divided between general trial courts and minor courts, both having concurrent jurisdiction over misdemeanors. Frequently, in metropolitan counties the court of general jurisdiction will handle only felony cases, as the authority to dispose of all misdemeanor cases has been granted exclusively to the municipal court of the main city in the county. In the same State, however, the general trial courts in the rural counties will handle not only felony cases but a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties of comparison in these statistics. The same technique that was used in 1935 and 1936 of limiting the summary and comparative analysis of State material to major offenses is again used in 1937. It is thought that this method eliminates a great deal of the variability in the statistics which would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There is no technique of selection, however, that can be used which will make up for the fact that these statistics do not embody the results of the earlier stages of prosecution of felony cases. It is known that in many metropolitan counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges before the cases ever reach the general trial courts. The National Commission on Law Observance and Enforcement in its report on prosecution (table 2, pages 190 and 191) shows the results of court dispositions taken from several crime surveys that covered all defendants prosecuted for felonies, including those eliminated in the earlier stages of prosecution. About a dozen metropolitan jurisdictions were included. The proportion of felony charges which survived the earlier stages of prosecution and entered the general trial court ranged from 23 to 83 percent, depending on the jurisdiction. Obvi-

ously, the work of a trial court which disposes of only 23 percent of those arrested and charged with a felony is not comparable with the work of a court in a jurisdiction where 83 percent of the original felony defendants are handled. In the first jurisdiction it would be expected that most of the weak cases would be eliminated in the earlier stages and that a high conviction rate would be shown for the remaining 23 percent coming before the trial court. In the latter jurisdiction where 83 percent of the original charges survived, a much higher dismissal rate and consequently a lower conviction rate might be expected. It is simply impossible to justify the assumption that statistics of courts of general jurisdiction reliably account for prosecution practice. For this reason too positive conclusions should not be drawn from the variations in dispositions and sentences observed from State to State in these statistics.

ANALYSIS OF 1937 DATA

Dispositions, by States. The 1937 report consists primarily of the 29 summaries which have been prepared for each of the cooperating States. For 27 States it was possible to present a 3-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence, for the years 1937, 1936, and 1935. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 29 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 42.7 percent in Indiana to 1.4 percent in Rhode Island, and, conversely, the proportion convicted ranges from 98.6 percent in Rhode Island to 57.3 percent in Indiana. For the 29 States taken individually, the median proportion convicted is 80.8 percent; that is, 14 States show a higher proportion of convictions and 14 States a smaller proportion.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no penalty dispositions account for the great majority of defendants eliminated, ranging from 93.7 percent in Vermont to 44.1 percent in Pennsylvania. The median proportion dismissed for the 29 States taken individually is 75.1 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States this is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 53.8 percent in Pennsylvania to 1.1 percent in Connecticut. The median proportion of defendants acquitted by jury for the 29 States is 21.4 percent.

Table 1. DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1937

STATE	Total disposed of	ELIMINATED WITHOUT CONVICTION		CONVICTED	
		Number	Percent	Number	Percent
Total, 29 States	83,648	19,977	23.9	63,671	76.1
Arizona	835	272	32.6	563	67.4
California	4,330	745	17.2	3,585	82.8
Colorado	1,567	388	24.8	1,179	75.2
Connecticut	1,168	178	15.2	990	84.8
District of Columbia	1,720	412	24.0	1,308	76.0
Idaho	432	55	12.7	377	87.3
Indiana	5,068	2,163	42.7	2,905	57.3
Iowa	1,572	348	22.1	1,224	77.9
Kansas	1,793	452	25.2	1,341	74.8
Massachusetts	3,044	515	16.9	2,529	83.1
Michigan	4,723	822	17.4	3,901	82.6
Minnesota	1,908	232	12.2	1,676	87.8
Montana	586	134	22.9	452	77.1
Nebraska	1,034	159	15.4	875	84.6
New Hampshire	422	65	15.4	357	84.6
New Jersey	5,260	1,068	20.3	4,192	79.7
New Mexico	838	205	24.5	633	75.5
New York	10,316	2,556	24.8	7,760	75.2
North Dakota	536	109	20.3	427	79.7
Ohio	6,010	1,153	19.2	4,857	80.8
Oregon	832	101	12.1	731	87.9
Pennsylvania	22,603	6,699	29.6	15,904	70.4
Rhode Island	568	8	1.4	560	98.6
South Dakota	526	85	16.2	441	83.8
Utah	377	81	21.5	296	78.5
Vermont	649	144	22.2	505	77.8
Washington	1,579	290	18.4	1,289	81.6
Wisconsin	3,024	476	15.7	2,548	84.3
Wyoming	328	62	18.9	266	81.1

Table 2. DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1937

STATE	Total eliminated	DISMISSED AND OTHER NO PENALTY		ACQUITTED BY COURT		ACQUITTED BY JURY	
		Number	Percent	Number	Percent	Number	Percent
Total, 29 States ..	19,977	12,716	63.7	969	4.9	6,292	31.5
Arizona	272	216	79.4	4	1.5	52	19.1
California	745	466	62.6	70	9.4	209	28.1
Colorado	388	291	75.0	4	1.0	93	24.0
Connecticut	178	162	91.0	14	7.9	2	1.1
District of Columbia ..	412	307	74.5	-	-	105	25.5
Idaho	55	39	70.9	1	1.8	15	27.3
Indiana	2,163	1,892	87.5	185	8.6	96	4.0
Iowa	348	316	90.8	2	0.6	30	8.6
Kansas	452	395	87.4	3	0.7	54	11.9
Massachusetts	515	304	59.0	66	12.8	145	28.2
Michigan	822	525	63.9	73	8.9	224	27.3
Minnesota	232	176	75.9	1	0.4	55	23.7
Montana	134	106	79.1	-	-	28	20.9
Nebraska	159	113	71.1	8	5.0	38	23.9
New Hampshire	65	59	90.8	-	-	6	9.2
New Jersey	1,068	621	58.1	218	20.4	229	21.4
New Mexico	205	148	72.2	-	-	57	27.8
New York	2,556	1,659	64.9	-	-	897	35.1
North Dakota	109	94	86.2	-	-	15	13.8
Ohio	1,153	866	75.1	129	11.2	158	13.7
Oregon	101	66	65.3	-	-	35	34.7
Pennsylvania	6,699	2,952	44.1	145	2.2	3,602	53.8
Rhode Island	8	4	50.0	-	-	4	50.0
South Dakota	85	71	83.5	1	1.2	13	15.3
Utah	81	49	60.5	1	1.2	31	38.3
Vermont	144	135	93.7	1	0.7	8	5.6
Washington	290	236	81.4	2	0.7	52	17.9
Wisconsin	476	396	83.2	41	8.6	39	8.2
Wyoming	62	52	83.9	-	-	10	16.1

JUDICIAL CRIMINAL STATISTICS. 1937

Table 3. DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1937

STATE	Total convicted	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
		Number	Percent	Number	Percent	Number	Percent
Total, 29 States ..	63,671	50,980	80.1	2,659	4.2	10,032	15.8
Arizona	563	496	88.1	-	-	67	11.9
California	3,585	3,039	84.8	199	5.6	347	9.7
Colorado	1,179	1,006	85.3	5	0.4	168	14.2
Connecticut	990	898	90.7	36	6.7	26	2.6
District of Columbia	1,308	1,107	84.6	-	-	201	15.4
Idaho	377	320	84.9	11	2.9	46	12.2
Indiana	2,905	2,103	72.4	629	21.7	173	6.0
Iowa	1,224	1,146	93.6	26	2.1	52	4.2
Kansas	1,341	1,164	86.8	20	1.5	157	11.7
Massachusetts	2,529	2,129	84.2	76	3.0	324	12.8
Michigan	3,901	3,092	79.3	241	6.2	568	14.6
Minnesota	1,676	1,578	94.2	8	0.5	90	5.4
Montana	452	379	83.8	4	0.9	69	15.3
Nebraska	875	788	90.1	40	4.6	47	5.4
New Hampshire	357	331	92.7	3	0.8	23	6.4
New Jersey	4,192	3,628	86.5	310	7.4	254	6.1
New Mexico	633	528	83.4	19	3.0	86	13.6
New York	7,760	6,904	89.0	-	-	856	11.0
North Dakota	427	396	92.7	3	0.7	28	6.6
Ohio	4,857	4,152	85.5	300	6.2	405	8.3
Oregon	731	683	93.4	5	0.7	43	5.9
Pennsylvania	15,904	9,799	61.6	457	2.9	5,648	35.5
Rhode Island	560	557	99.5	-	-	3	0.5
South Dakota	441	406	92.1	9	2.0	26	5.9
Utah	296	221	74.7	9	3.0	66	22.3
Vermont	505	486	96.2	-	-	19	3.8
Washington	1,289	1,128	87.5	18	1.4	143	11.1
Wisconsin	2,548	2,275	89.3	190	7.5	83	3.3
Wyoming	266	241	90.6	11	4.1	14	5.3

Table 4. DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1937

STATE	Defendants sentenced	STATE PRISONS AND REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		JAILS, WORK-HOUSES, ETC.		ALL OTHER SENTENCES	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 29 States	63,671	23,990*	37.7	20,042	31.5	16,081	25.3	3,558	5.6
Arizona	563	350	62.2	176	31.3	30	5.3	7	1.2
California	3,585	1,092	30.5	1,008	28.1	1,370	38.2	115	3.2
Colorado	1,179	841	71.3	249	21.1	73	6.2	16	1.4
Connecticut	990	324	32.7	314	31.7	322	32.5	30	3.0
Dist. of Columbia	1,308	717	54.8	451	34.5	135	10.3	5	0.4
Idaho	377	198	52.5	90	23.9	81	21.5	8	2.1
Indiana	2,905	1,743	60.0	677	23.3	302	10.4	183	6.3
Iowa	1,224	527	43.1	187	15.3	455	37.2	55	4.5
Kansas	1,341	962	71.7	203	15.1	158	11.8	18	1.3
Massachusetts	2,529	775	30.6	1,035	40.9	695	27.5	24	1.0
Michigan	3,901	1,856	47.6	1,463	37.5	458	11.7	124	3.2
Minnesota	1,676	757	45.2	672	40.1	180	10.7	67	4.0
Montana	452	338	74.8	90	19.9	15	3.3	9	2.0
Nebraska	875	559	63.9	198	22.6	79	9.0	39	4.5
New Hampshire	357	114	31.9	140	39.2	83	23.2	20	5.6
New Jersey	4,192	1,429	34.1	1,563	37.3	920	21.9	280	6.7
New Mexico	633	407	64.3	154	24.3	38	6.0	34	5.4
New York	7,760	3,335	43.0	2,465	31.8	1,877	24.2	83	1.1
North Dakota	427	219	51.3	53	12.4	118	27.6	37	8.7
Ohio	4,857	2,282	47.0	1,932	39.8	427	8.8	216	4.4
Oregon	731	348	47.6	283	38.7	85	11.6	15	2.1
Pennsylvania	15,904	2,299	14.5	4,701	29.6	7,131	44.8	1,773	11.1
Rhode Island	560	146	26.1	346	61.8	59	10.5	9	1.6
South Dakota	441	257	58.3	82	18.6	79	17.9	23	5.2
Utah	296	168	56.8	86	29.1	33	11.1	9	3.0
Vermont	505	184	36.4	132	26.1	122	24.2	67	13.3
Washington	1,289	852	66.1	193	15.0	231	17.9	13	1.0
Wisconsin	2,548	730	28.6	1,053	41.3	500	19.6	265	10.4
Wyoming	266	181	68.0	46	17.3	25	9.4	14	5.3

*Includes 76 death sentences.

Table 3 shows the number and proportion of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 99.5 percent in Rhode Island to 61.6 percent in Pennsylvania. The median percentage for the 29 States taken individually is 87.5 percent. Jury verdicts of guilty accounted for 35.5 percent of all convictions in Pennsylvania and less than 1 percent in Rhode Island. The median proportion of convictions by jury among the 29 States is 8.3 percent.

Table 4 shows, for each of the 29 States, the number and percent who were convicted and sentenced, by type of sentence imposed. In Montana nearly three-fourths of the defendants sentenced for major offenses received a prison or death sentence, while Pennsylvania, at the other end of the scale, had only 14.5 percent

of those convicted sentenced to prison or death. The median State of the 29, that is, the State standing in the middle of the series, ranged in order on the basis of this item, shows a percentage of 47.6 receiving a prison sentence. Probation was used most extensively in Rhode Island, where 61.8 percent were reported as being placed on probation or given a suspended sentence. North Dakota reported the least use of this type of sentence with 12.4 percent, while the median State shows a percentage of 29.1. Pennsylvania reported the highest proportion of jail sentences, while Montana reported the lowest. The median State shows a percentage of 11.8 sentenced to jail.

Disposition, by offense.—In interpreting the data presented in tables 5 to 8, showing, for the 29 States combined, disposition and sentence by offense, it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. The

Table 5. DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1937

OFFENSE	Total disposed of	ELIMINATED WITHOUT CONVICTION		CONVICTED	
		Number	Percent	Number	Percent
Total	83,648	19,977	23.9	63,671	76.1
Murder	1,073	405	37.7	668	62.3
Manslaughter	2,083	920	44.2	1,163	55.8
Robbery	6,181	1,392	22.5	4,789	77.5
Aggravated assault	7,041	2,831	40.2	4,210	59.8
Burglary	15,049	1,945	12.9	13,104	87.1
Larceny, except auto theft	19,217	3,734	19.4	15,483	80.6
Auto theft	5,563	844	15.2	4,719	84.8
Embezzlement and fraud	5,340	2,114	39.6	3,226	60.4
Stolen property	1,776	566	31.9	1,210	68.1
Forgery	4,883	807	16.5	4,076	83.5
Rape	3,368	1,092	32.4	2,276	67.6
Commercialized vice	1,004	372	37.1	632	62.9
Other sex offenses	5,384	1,440	26.7	3,944	73.3
Violating drug laws	1,004	159	15.8	845	84.2
Carrying, etc., weapons ...	2,586	595	23.0	1,991	77.0
Other major offenses	2,096	761	36.3	1,335	63.7

Table 6. DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1937

OFFENSE	Total eliminated	DISMISSED AND OTHER NO PENALTY		ACQUITTED BY COURT		ACQUITTED BY JURY	
		Number	Percent	Number	Percent	Number	Percent
Total	19,977	12,716	63.7	969	4.9	6,292	31.5
Murder	405	186	45.9	5	1.2	214	52.8
Manslaughter	920	381	41.4	62	6.7	477	51.8
Robbery	1,392	737	52.9	91	6.5	564	40.5
Aggravated assault	2,831	1,562	55.2	141	5.0	1,128	39.8
Burglary	1,945	1,386	71.3	95	4.9	464	23.9
Larceny, except auto theft	3,734	2,545	68.2	144	3.9	1,045	28.0
Auto theft	844	568	67.3	43	5.1	233	27.6
Embezzlement and fraud	2,114	1,672	79.1	71	3.4	371	17.5
Stolen property	566	335	59.2	55	9.7	176	31.1
Forgery	807	689	85.4	19	2.4	99	12.3
Rape	1,092	634	58.1	62	5.7	396	36.3
Commercialized vice	372	103	27.7	17	4.6	252	67.7
Other sex offenses	1,440	952	66.1	89	6.2	399	27.7
Violating drug laws	159	85	53.5	12	7.5	62	39.0
Carrying, etc., weapons ...	595	309	51.9	40	6.7	246	41.3
Other major offenses	761	572	75.2	23	3.0	166	21.8

six States of California, Indiana, New Jersey, New York, Ohio, and Pennsylvania account for nearly two thirds (64.1 percent) of the cases covered, while the other 23 States account for the remainder.

Table 5 shows the total number of defendants disposed of in the 29 States and those eliminated and convicted in each offense group. Burglary, auto theft, violations of drug laws, and forgery show, in that order, the highest proportions of convictions, while manslaughter and assault show the lowest proportions.

Table 6 shows, by offense, the defendants eliminated in the 29 States for each of the three types of elimination. Defendants charged with forgery show the highest proportion of eliminations by dismissal and the lowest proportion of acquittals by jury. Defendants charged with offenses involving commercialized vice show the lowest proportion of eliminations by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, the defendants convicted and sentenced in the 29 States by type of conviction. Forgery, auto theft, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty, and murder and manslaughter show the lowest. These latter two offense groups, however, show the highest proportion of convictions by jury verdict.

Table 8 shows, for each offense group, the defendants who were convicted and sentenced in the 29 States, by type of sentence imposed. As would be expected, nearly all prisoners convicted of murder were given a death or prison sentence. Of the 647 defendants shown in the table as receiving a death or prison sentence, 76 were given a death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of auto theft, stolen property, and embezzlement and fraud. The offense groups showing the highest proportion of defendants given jail sentences were violations of drug laws and carrying, etc., weapons.

Table 7. DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1937

OFFENSE	Total convicted	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
		Number	Percent	Number	Percent	Number	Percent
Total	63,671	50,980	80.1	2,659	4.2	10,032	15.8
Murder	668	255	38.2	26	3.9	387	57.9
Manslaughter	1,163	654	56.2	77	6.6	432	37.1
Robbery	4,789	3,305	69.0	168	3.5	1,316	27.5
Aggravated assault	4,210	2,680	63.7	268	6.4	1,262	30.0
Burglary	13,104	11,541	88.1	352	2.7	1,211	9.2
Larceny, except auto theft	15,483	12,865	83.1	624	4.0	1,994	12.9
Auto theft	4,719	4,175	88.5	155	3.3	388	8.2
Embezzlement and fraud	3,226	2,610	80.9	155	4.8	461	14.3
Stolen property	1,210	959	79.3	90	7.4	161	13.3
Forgery	4,076	3,814	93.6	94	2.3	168	4.1
Rape	2,276	1,563	68.7	171	7.5	542	23.8
Commercialized vice	632	375	59.3	50	7.9	207	32.8
Other sex offenses	3,944	2,962	75.1	272	6.9	710	18.0
Violating drug laws	845	649	76.8	39	4.6	157	18.6
Carrying, etc., weapons	1,991	1,435	72.1	84	4.2	472	23.7
Other major offenses	1,335	1,137	85.2	34	2.5	164	12.3

Table 8. DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1937

OFFENSE	Defendants sentenced	STATE PRISONS AND REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		JAILS, WORK-HOUSES, ETC.		ALL OTHER SENTENCES	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	63,671	23,990	37.7	20,042	31.5	16,081	25.3	3,558	5.6
Murder	668	647*	96.9	6	0.9	13	1.9	2	0.3
Manslaughter	1,163	564	48.5	285	24.5	257	22.1	57	4.9
Robbery	4,789	3,008	62.8	730	15.2	994	20.8	57	1.2
Aggravated assault	4,210	1,295	30.8	1,274	30.3	1,393	33.1	248	5.9
Burglary	13,104	5,800	44.3	4,559	34.8	2,446	18.7	299	2.3
Larceny, except auto theft	15,483	4,333	28.0	5,308	34.3	4,947	32.0	895	5.8
Auto theft	4,719	1,836	38.9	1,885	39.9	846	17.9	152	3.2
Embezzlement and fraud	3,226	799	24.8	1,248	38.7	894	27.7	285	8.8
Stolen property	1,210	278	23.0	470	38.8	343	28.3	119	9.8
Forgery	4,076	1,799	44.1	1,373	33.7	737	18.1	167	4.1
Rape	2,276	1,192	52.4	514	22.6	464	20.4	106	4.7
Commercialized vice	632	117	18.5	159	25.2	234	37.0	122	19.3
Other sex offenses	3,944	1,092	27.7	1,105	28.0	999	25.3	748	19.0
Violating drug laws	845	141	16.7	188	22.2	472	55.9	44	5.2
Carrying, etc., weapons	1,991	362	18.2	590	29.6	830	41.7	209	10.5
Other major offenses	1,335	727	54.5	348	26.1	212	15.9	48	3.6

*Includes 76 death sentences.

As already pointed out, all reports received from the Census Bureau's collection of judicial criminal statistics are made voluntarily and, some of the 24 States which reported by the sheet method, reports were not received from all clerks of court. Table 9 shows, by States, the total number of counties and the number of courts, by type, which furnished statistics for 1937 and the percentage of the population in each State covered by the reporting courts on the basis of the 1930 Census.

SUMMARY AND CONCLUSION

The 1937 statistics show substantially the same facts and relationships in regard to the composition and sentence of criminal offenders in the courts of general jurisdiction as were found in the analysis of the 1935 and 1936 data. For this reason, the 1937 report is limited largely to a summary of the statistical data collected from the 29 cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics, their method of collection, the limitations of the collection, as well as for a more detailed analysis of judicial criminal statistics.

It must be emphasized again that comparisons between States should be made only with the most extreme caution and that probably no general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary which shows, for defendants charged with major offenses, the distribution of sentences and dispositions for the years 1935, 1936, and 1937.

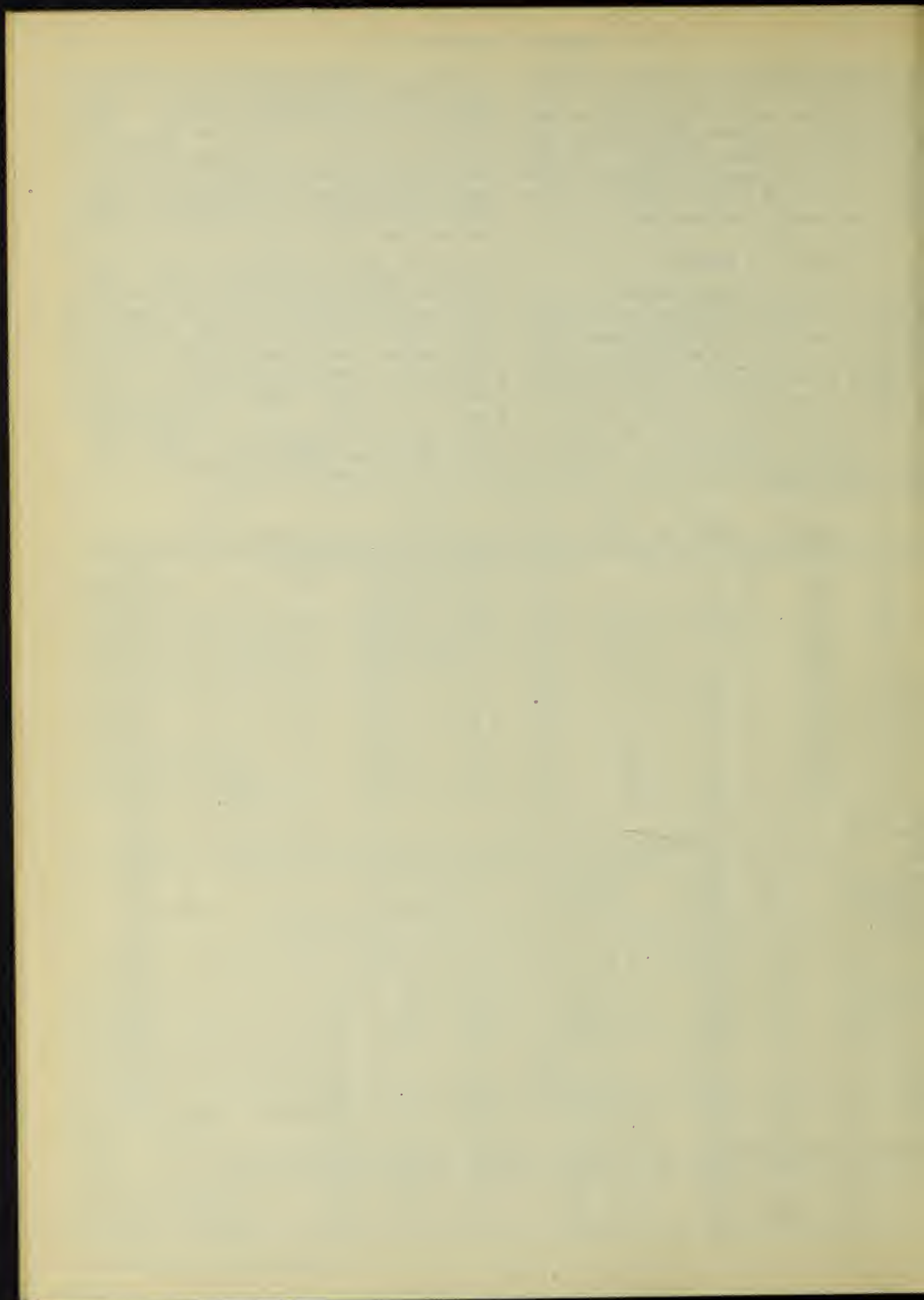
Again in 1937, as in the past years, these statistics indicate that from 70 to 80 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction were convicted. Over two-thirds of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for between 80 and 90 percent of all convictions. Less than one-fourth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, approximately two-fifths received sentences to the State prison or reformatory and about one-third were given probation or a suspended sentence.

Table 9. NUMBER AND TYPE OF COURT FURNISHING REPORTS, BY STATES: 1937

STATE	REPORTS RECEIVED, BY TYPE OF COURT									Percent of State population covered by courts reporting in 1937
	Counties in State	District	Circuit	Superior	Common Pleas	Quarter sessions and mayor and terminer	County	Municipal	Criminal	
Arizona	14	-	-	14	-	-	-	-	-	100.0
California	58	-	-	47	-	-	-	-	-	54.5
Colorado	63	59	-	-	-	-	-	-	-	98.3
Connecticut	8	-	-	9	5	-	-	-	-	100.0
District of Columbia ..	1	1	-	-	-	-	-	-	-	100.0
Florida	44	44	-	-	-	-	-	-	-	100.0
Idaho	92	-	88	6	-	-	-	-	2	99.1
Illinois	99	70	-	-	-	-	-	-	-	65.7
Indiana	105	105	-	-	-	-	-	-	-	100.0
Massachusetts	14	-	-	14	-	-	-	-	-	100.0
Michigan	83	-	82	1	-	-	-	a 1	-	98.4
Minnesota	87	87	-	-	-	-	-	-	-	100.0
Montana	56	54	-	-	-	-	-	-	-	95.8
Nebraska	93	89	-	-	-	-	-	-	-	97.8
New Hampshire	10	-	-	10	-	-	-	-	-	100.0
New Jersey	21	-	-	-	-	19	-	-	-	90.8
New Mexico	31	30	-	-	-	-	-	-	-	97.7
New York	62	-	-	-	-	-	62	-	-	100.0
North Dakota	53	52	-	-	-	-	-	-	-	98.6
Ohio	88	-	-	-	86	-	-	-	-	97.5
Oklahoma	36	-	30	-	-	-	-	-	-	54.9
Pennsylvania	67	-	-	-	-	67	-	-	-	100.0
Rhode Island	5	-	-	4	-	-	-	-	-	100.0
South Dakota	b 69	-	63	-	-	-	-	-	-	99.6
Tennessee	29	29	-	-	-	-	-	-	-	100.0
Mont	14	-	-	-	-	-	13	12	-	90.0
Washington	39	-	-	39	-	-	-	-	-	100.0
Wisconsin	71	-	67	2	-	-	17	10	-	99.7
Wyoming	23	22	-	-	-	-	-	-	-	96.4

Recorder's Court of Detroit.

Includes 5 unorganized counties which, for judicial purposes, are attached to other counties.



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ARIZONA

In 1937, 67.4 percent of the persons charged in the Superior Courts of Arizona with major criminal offenses were convicted, a steady decrease from the 70.4 percent convicted in 1936, and the 73.4 percent convicted in 1935. While over 80 percent of such charges were disposed of each year by dismissals and pleas of guilty, the acquittals by juries of 52, or 43.7 percent, of the 119 defendants tried by them in 1937 were a major factor in

that year's decrease in the proportion of convictions. Another factor was the slight rise in the proportion of charges dismissed. Table 1 shows the comparative data for the three years.

More detailed figures on the work of these courts during 1937 are given in table 2, which shows the method of disposition for both the major and the less serious offenses.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	835	100.0	912	100.0	702	100.0
Eliminated without conviction	272	32.6	270	29.6	187	26.6
Dismissed	206	24.8	217	23.8	140	19.9
Jury waived, acquitted by court ..	4	0.5	-	-	-	-
Acquitted by jury	52	6.2	36	3.9	32	4.6
Other no-penalty dispositions ..	10	1.2	17	1.9	15	2.1
Convicted	563	67.4	642	70.4	515	73.4
Plea of guilty	496	59.4	537	58.9	428	61.0
Court finds guilty	-	-	7	0.8	-	-
Jury verdict guilty	67	8.0	98	10.7	87	12.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF ARIZONA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,260	391	303	9	66	13	869	777	4	88
Major offenses, total ..	835	272	206	4	52	10	563	496	-	67
Murder	19	9	3	-	6	-	10	8	-	2
Manslaughter	11	6	2	-	3	1	5	3	-	2
Robbery	38	13	11	-	1	1	25	21	-	4
Aggravated assault	126	67	51	-	15	1	59	46	-	13
Burglary	186	49	41	1	4	3	137	115	-	22
Larceny, except auto theft ..	153	38	29	1	6	2	115	107	-	8
Auto theft	4	-	-	-	-	-	4	4	-	-
Embezzlement and fraud ...	43	10	6	1	3	-	33	33	-	-
Stolen property	14	2	2	-	-	-	12	10	-	2
Forgery	116	20	16	-	2	2	96	95	-	1
Rape	65	40	32	-	8	-	25	15	-	10
Commercialized vice	3	1	1	-	-	-	2	2	-	-
Other sex offenses	23	7	3	1	3	-	16	14	-	2
Violating drug laws	5	1	1	-	-	-	4	4	-	-
Carrying weapons, etc. ...	6	1	1	-	-	-	5	5	-	-
Other major offenses	23	8	7	-	1	-	15	14	-	1
Abortion	1	1	1	-	-	-	-	-	-	-
Arson	7	2	1	-	1	-	5	5	-	-
Bigamy	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion ..	4	3	3	-	-	-	1	1	-	-
Escape and jail break ..	7	1	1	-	-	-	6	5	-	1
Kidnaping	3	1	1	-	-	-	2	2	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault	24	11	11	-	-	-	13	10	1	2
Nonsupport or neglect	66	22	18	1	2	1	44	39	1	4
Violating liquor laws	27	14	10	2	-	2	13	12	-	1
Driving while intoxicated ..	184	20	13	-	7	-	164	156	-	8
Other motor vehicle laws ..	37	20	18	1	1	-	17	16	-	1
Disorderly conduct and vagrancy	7	4	3	-	1	-	3	3	-	-
Gambling	21	7	7	-	-	-	14	12	1	1
All other offenses	59	21	17	1	3	-	38	33	1	4

Of the major offense charges disposed of in 1937, 516, or 61.8 percent, involved the taking or conversion of property through some form of theft, burglary, forgery, or the receipt of stolen goods, while 221, or 26.5 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with offenses against "property", 397, or 76.9 percent, were convicted, and, of those charged with offenses against the person, 99, or 44.8 percent, were convicted. Robbery, which involves both "property" and "person", was charged against 38 defendants, of whom 25 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes during 1935, 1936, and 1937, reveals a slight increase in the use of probation or suspended sentences, and a

slight decrease in the proportion of commitments to jail. While the extent to which the Arizona courts choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows some variation in the sentences imposed for offenders of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenders of very different degrees of seriousness.

The Census Bureau's collection of statistics on the functioning of State courts has indicated wide variations in the use of pre-trial dispositions, in definitions and classifications of criminal behavior, and in the use of probation and other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	563	100.0	636	100.0	515	100.0
Death	2	0.4	3	0.5	4	0.8
Prison or reformatory	348	61.8	387	60.8	324	62.9
Probation or suspended sentence	176	31.3	192	30.2	135	26.2
Local jails	30	5.3	40	6.3	47	9.1
Fine or costs only	6	1.1	11	1.7	4	0.8
Juvenile institutions	1	0.2	3	0.5	-	-
Other sentences	-	-	-	-	1	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF ARIZONA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	869	2	363	241	212	46	5	-
Major offenses, total	563	2	348	176	30	6	1	-
Murder	10	2	8	-	-	-	-	-
Manslaughter	5	-	3	2	-	-	-	-
Robbery	25	-	20	5	-	-	-	-
Aggravated assault	59	-	39	18	-	2	-	-
Burglary	137	-	105	32	-	-	-	-
Larceny, except auto theft	115	-	61	40	14	-	-	-
Auto theft	4	-	2	2	-	-	-	-
Embezzlement and fraud	33	-	18	12	3	-	-	-
Stolen property	12	-	3	2	-	-	-	-
Forgery	96	-	48	46	1	1	-	-
Rape	25	-	18	5	-	2	-	-
Commercialized vice	2	-	-	1	-	1	-	-
Other sex offense	16	-	9	5	2	-	-	-
Violating drug laws	4	-	1	-	3	-	-	-
Carrying weapons, etc.	5	-	2	3	-	-	-	-
Other major offense	15	-	11	3	-	-	1	-
Abortion	-	-	-	-	-	-	-	-
Arson	5	-	1	3	-	-	1	-
Bigamy	1	-	1	-	-	-	-	-
Blackmail and extortion	1	-	1	-	-	-	-	-
Escape and jail break	6	-	6	-	-	-	-	-
Kidnaping	2	-	2	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	13	-	-	5	7	1	-	-
Nonsupport or neglect	44	-	2	41	-	1	-	-
Violating liquor laws	13	-	1	1	4	7	-	-
Driving while intoxicated	164	-	-	-	163	1	-	-
Other motor vehicle laws	17	-	4	2	3	8	-	-
Disorderly conduct and vagrancy	3	-	-	2	1	-	-	-
Gambling	14	-	-	4	-	10	-	-
All other offenses	38	-	8	10	4	12	4	-

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CALIFORNIA

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For 1937, the reports furnished the Bureau of the Census by Superior Courts in California showed that 82.8 percent of the defendants charged with major crimes were convicted, while similar figures for 1935 and 1936, respectively, were 78.6 percent and 79.6 percent. The increase in the proportion of defendants who plead guilty to such charges (65.8 percent in 1936 and 70.2 percent in 1937) is even greater and contrasts with a decrease in the

proportion of persons tried by juries from 14.3 percent in 1936 to 12.8 percent in 1937.

These data are from reports of courts, which, on the basis of the 1930 population, had jurisdiction over slightly more than one-half of the State. Since no reports from Los Angeles County were available in 1937, this county has been excluded from the figures shown for 1935 and 1936.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	4,330	100.0	3,785	100.0	3,760	100.0
Eliminated without conviction	745	17.2	774	20.4	803	21.4
Dismissed	402	9.3	464	12.3	503	13.4
Jury waived, acquitted by court ..	70	1.6	31	0.8	43	1.1
Acquitted by jury	209	4.8	172	4.5	176	4.7
Other no-penalty dispositions ..	64	1.5	107	2.8	81	2.2
Convicted	3,585	82.8	3,011	79.6	2,957	78.6
Plea of guilty	3,039	70.2	2,492	65.8	2,409	64.1
Court finds guilty	199	4.6	147	3.9	140	3.7
Jury verdict guilty	347	8.0	372	9.8	408	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitt- ed by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	5,439	978	554	96	254	74	4,461	3,803	245	413
Major offenses, total ..	4,330	745	402	70	209	64	3,585	3,039	199	347
Murder	93	27	5	-	16	6	66	23	2	41
Manslaughter	115	54	14	6	32	2	61	31	6	24
Robbery	290	67	24	11	31	1	223	159	17	47
Aggravated assault	277	83	44	10	23	6	194	119	32	43
Burglary	804	84	52	4	12	16	720	648	30	42
Larceny, except auto theft ..	397	70	47	2	15	6	327	277	24	26
Auto theft	320	32	16	7	1	8	288	271	10	7
Embezzlement and fraud ...	319	46	33	3	7	3	273	260	4	9
Stolen property	94	20	9	2	9	-	74	62	5	7
Forgery	534	41	32	1	7	1	493	470	14	9
Rape	177	55	26	2	24	3	122	100	5	17
Commercialized vice	5	-	-	-	-	-	5	2	-	3
Other sex offenses	254	63	29	11	18	5	191	128	23	40
Violating drug laws	443	47	30	8	7	2	396	363	21	12
Carrying weapons, etc. ...	75	13	10	2	1	-	62	56	3	3
Other major offenses	133	43	31	1	6	5	90	70	3	17
Abortion	8	2	1	-	1	-	6	-	-	6
Arson	17	7	3	1	1	2	10	7	2	1
Bigamy	13	2	1	-	-	1	11	11	-	-
Blackmail and extortion ..	14	7	6	-	1	-	7	5	-	2
Escape and jail break ..	37	6	4	-	1	1	31	29	1	1
Kidnaping	26	12	10	-	1	1	14	9	-	5
Perjury	18	7	6	-	1	-	11	9	-	2
Other offenses:										
Minor assault	76	11	9	2	-	-	65	50	9	6
Nonsupport or neglect	242	60	50	3	5	2	182	169	6	7
Violating liquor laws	22	1	1	-	-	-	21	20	-	1
Driving while intoxicated ..	200	25	14	5	6	-	175	157	6	12
Other motor vehicle laws ..	260	40	21	4	14	1	220	193	10	17
Disorderly conduct and vagrancy	15	-	-	-	-	-	15	13	2	-
Gambling	48	8	7	1	-	-	40	39	-	1
All other offenses	246	88	50	11	20	7	158	123	13	22

(OVER)

Figures showing the type of disposition by the offense charged are presented in table 2 for 1937. Of the persons charged with major offenses in that year, 2,468, or 57.0 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Also among the defendants to major charges were 662 persons charged with offenses involving the doing of personal injury through murder, manslaughter, aggravated assault, or rape. Of those charged with major "property" crimes, 2,175, or 88.1 percent, were convicted, while of those charged with offenses against the person, 443, or 66.9 percent, were convicted. Robbery, which is an offense involving both "property" and "person", was the charge against 290 defendants, and, of these, 223, or 76.9 percent were convicted.

From table 3, which shows the types of sentences imposed on those convicted of major crimes in each of these three years, it may be seen that the proportion sentenced to prisons and reformatories decreased from 35.6 percent in 1935 to 30.1 percent in 1937, while the proportion sentenced to local jails increased from 32.4 percent in 1935 to 38.2 percent in 1937.

While the extent to which the courts of California fix punishment according to the seriousness of the crime or select correctional treatment for its rehabilitative effect on the offender is unknown, table 4 reveals a variety of sentences imposed for offenses in the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	3,585	100.0	2,946	100.0	2,899	100.0
Death	13	0.4	11	0.4	15	0.5
Prison or reformatory	1,079	30.1	953	32.3	1,032	35.6
Probation or suspended sentence	1,008	28.1	733	24.9	770	26.6
Local jails	1,370	38.2	1,139	38.7	938	32.4
Fine or costs only	24	0.7	20	0.7	31	1.1
Juvenile institutions	91	2.5	90	3.1	111	3.8
Other sentences	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	4,461	13	1,121	1,426	1,672	127	101	1
Major offenses, total	3,585	13	1,079	1,008	1,370	24	91	-
Murder	66	13	53	-	-	-	-	-
Manslaughter	61	-	24	19	18	-	-	-
Robbery	223	-	168	32	1	-	22	-
Aggravated assault	194	-	57	35	96	5	1	-
Burglary	720	-	208	175	307	5	25	-
Larceny, except auto theft	327	-	66	117	137	1	6	-
Auto theft	288	-	48	109	106	3	22	-
Embezzlement and fraud	273	-	60	101	110	-	2	-
Stolen property	74	-	17	30	26	-	1	-
Forgery	493	-	144	160	181	2	6	-
Rape	122	-	41	39	42	-	-	-
Commercialized vice	5	-	3	1	1	-	-	-
Other sex offenses	191	-	97	38	51	-	5	-
Violating drug laws	396	-	53	105	238	-	-	-
Carrying weapons, etc.	62	-	4	13	40	4	1	-
Other major offenses	90	-	36	34	16	4	-	-
Abortion	6	-	2	4	-	-	-	-
Arson	10	-	4	5	1	-	-	-
Bigamy	11	-	5	2	4	-	-	-
Blackmail and extortion	7	-	5	2	-	-	-	-
Escape and jail break	31	-	12	4	11	4	-	-
Kidnaping	14	-	7	7	-	-	-	-
Perjury	11	-	1	10	-	-	-	-
Other offenses:								
Minor assault	65	-	-	25	35	5	-	-
Nonsupport or neglect	182	-	1	149	32	-	-	-
Violating liquor laws	21	-	1	6	4	10	-	-
Driving while intoxicated	175	-	8	76	76	14	1	-
Other motor vehicle laws	220	-	20	88	87	20	4	1
Disorderly conduct and vagrancy	15	-	-	12	-	-	3	-
Gambling	40	-	-	3	2	35	-	-
All other offenses	158	-	12	59	66	19	2	-

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JUDICIAL CRIMINAL STATISTICS: 1937

COLORADO

Page 1

In 1937, 75.2 percent of those charged with major offenses in the District Courts of Colorado were convicted, a notable increase from the 68.2 percent convicted in 1936, and the 67.0 percent in 1935. A significant factor in this change was the increase in pleas of guilty from 53.2 percent of the dispositions in 1935 to 58.8 percent in 1936 and 64.2 percent in 1937. While court trials after waiver of jury were used even less frequently

in 1937 than in 1936, the cases disposed of by juries increased from 12.7 percent of the total dispositions in 1936 to 16.6 percent in 1937.

These data, shown in table 1, are, like those following, from reports of courts, which, on the basis of the 1930 population, had jurisdiction over 98.3 percent of the State in 1937, 97.0 percent in 1936, and 97.5 percent in 1935.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,567	100.0	1,419	100.0	1,568	100.0
Eliminated without conviction	388	24.8	451	31.8	518	33.0
Dismissed	266	17.0	343	24.2	360	23.0
Jury waived, acquitted by court ..	4	0.3	5	0.4	-	-
Acquitted by jury	93	5.9	64	4.5	98	6.3
Other no-penalty dispositions ..	25	1.6	39	2.7	60	3.8
Convicted	1,179	75.2	968	68.2	1,050	67.0
Plea of guilty	1,006	64.2	834	58.8	834	53.2
Court finds guilty	5	0.3	17	1.2	21	1.3
Jury verdict guilty	168	10.7	117	8.2	195	12.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF COLORADO,
BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,779	492	354	8	105	25	1,287	1,081	15	191
Major offenses, total ..	1,567	388	266	4	93	25	1,179	1,006	5	168
Murder	58	31	3	-	24	4	27	5	-	22
Manslaughter	39	12	5	2	5	-	27	10	-	17
Robbery	95	15	11	-	3	1	80	63	-	17
Aggravated assault	63	20	12	-	4	4	43	31	-	12
Burglary	335	52	37	1	11	3	283	265	1	17
Larceny, except auto theft ..	422	94	74	1	14	5	328	295	-	33
Auto theft	81	19	9	-	10	-	62	58	1	3
Embezzlement and fraud ...	191	61	52	-	9	-	130	116	1	13
Stolen property	22	5	3	-	1	1	17	16	-	1
Forgery	97	17	12	-	3	2	80	69	1	10
Rape	102	33	27	-	5	1	69	50	1	18
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	28	12	9	-	2	1	16	14	-	2
Violating drug laws	4	1	1	-	-	-	3	2	-	1
Carrying weapons, etc. ...	-	-	-	-	-	-	-	-	-	-
Other major offenses	30	16	11	-	2	3	14	12	-	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	9	5	2	-	2	1	4	4	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping	19	11	9	-	-	2	8	6	-	2
Perjury	2	-	-	-	-	-	2	2	-	-
Other offenses:										
Minor assault	31	6	4	-	2	-	25	12	1	12
Nonsupport or neglect	49	19	15	-	4	-	30	21	5	4
Violating liquor laws	9	9	7	2	-	-	-	-	-	-
Driving while intoxicated ..	7	2	2	-	-	-	5	4	-	1
Other motor vehicle laws ..	14	5	3	1	1	-	9	7	-	2
Disorderly conduct and vagrancy	4	1	1	-	-	-	3	2	-	1
Gambling	37	28	26	-	2	-	9	6	2	1
All other offenses	61	34	30	1	3	-	27	23	2	2

More detailed figures on the work of these courts in 1937, given in table 2, show that 1,567, or 88.1 percent, of the defendants were charged with major crimes, and of these, 1,148, or 73.3 percent, were charged with the taking, receipt, or conversion of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 262, or 16.7 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of the defendants charged with major "property" crimes, 900, or 78.4 percent were convicted, and 166, or 63.4 percent, of those charged with major crimes against the person were convicted. Robbery, most frequent of the offenses involving both "person" and "property", was the charge against 95, or 6.1 percent, of those charged with major crimes, and of these, 80, or 84.2 percent, were convicted.

Among the changes to be noted in table 3, which shows the types of sentences imposed on those convicted of major crimes, are the slight decreases in commitments to local jails and in impositions of fines. Prison or reformatory sentences, imposed in more than two-thirds of the convictions, however, were by far the most frequent type of punishment, with probation or suspended sentences, fixed in approximately one-fifth of the convictions, second. While the extent to which Colorado courts fix punishments according to the seriousness of the offenses or choose correctional treatment according to its rehabilitative effect is unknown, table 4 shows the different types of sentences imposed in offenses of the same class. In the interpretation of these data, however, it should be remembered that certain classes include crimes of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,179	100.0	965	100.0	1,048	100.0
Death	3	0.3	2	0.2	1	0.1
Prison or reformatory	838	71.1	656	68.0	747	71.3
Probation or suspended sentence	249	21.1	216	22.4	182	17.4
Local jails	73	6.2	68	7.0	92	8.8
Fine or costs only	11	0.9	12	1.2	15	1.4
Juvenile institutions	5	0.4	11	1.1	9	0.9
Other sentences	-	-	-	-	2	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF COLORADO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentences	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,287	3	862	287	103	27	5	-
Major offenses, total	1,179	3	838	249	73	11	5	-
Murder	27	3	24	-	-	-	-	-
Manslaughter	27	-	7	7	13	-	-	-
Robbery	80	-	76	4	-	-	-	-
Aggravated assault	43	-	29	8	6	-	-	-
Burglary	283	-	225	56	-	-	2	-
Larceny, except auto theft	328	-	203	82	31	9	3	-
Auto theft	62	-	39	12	11	-	-	-
Embezzlement and fraud	130	-	88	35	6	1	-	-
Stolen property	17	-	12	3	2	-	-	-
Forgery	80	-	64	16	-	-	-	-
Rape	69	-	51	18	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	16	-	9	6	1	-	-	-
Violating drug laws	3	-	-	-	3	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	14	-	11	2	-	1	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	4	-	2	1	-	1	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	-	-	-	-	-	-	-	-
Kidnaping	8	-	7	1	-	-	-	-
Perjury	2	-	2	-	-	-	-	-
Other offenses:								
Minor assault	25	-	-	-	22	3	-	-
Nonsupport or neglect	30	-	8	22	-	-	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	5	-	-	3	2	-	-	-
Other motor vehicle laws	9	-	2	1	3	3	-	-
Disorderly conduct and vagrancy	3	-	-	2	-	1	-	-
Gambling	9	-	1	4	1	3	-	-
All other offenses	27	-	13	6	2	6	-	-

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JUDICIAL CRIMINAL STATISTICS: 1937-1938*

Page 1

CONNECTICUT

During the fiscal year ending June 30, 1938, 84.8 percent of the defendants charged with major criminal offenses in the Superior and Common Pleas Courts of the State of Connecticut were convicted. As is evident from table 1, only slight changes have occurred from year to year since 1935-36 in the proportionate use of the various methods of disposition. In each year, about 77 percent of the defendants were convicted by pleas of guilty.

More detailed figures for 1937-38, which are given in table 2, reveal that 1,168, or 63.7 percent, of the defendants were charged with major crimes. Of this number, 682, or 58.4 percent, were charged with the taking of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 138, or 11.8 percent, were charged with doing personal injury by manslaughter, murder, assault, or rape.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,168	100.0	950	100.0	931	100.0
Eliminated without conviction	178	15.2	152	16.0	140	15.0
Dismissed	154	13.2	126	13.3	128	13.7
Jury waived, acquitted by court ..	14	1.2	18	1.9	6	0.6
Acquitted by jury	2	0.2	1	0.1	4	0.4
Other no-penalty dispositions ..	8	0.7	7	0.7	2	0.2
Convicted	990	84.8	798	84.0	791	85.0
Plea of guilty	898	76.9	730	76.8	719	77.2
Court finds guilty	66	5.7	60	6.3	46	4.9
Jury verdict guilty	26	2.2	8	0.8	26	2.8

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1937-1938*

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,835	449	385	42	12	10	1,386	1,185	146	55
Major offenses, total ..	1,168	178	154	14	2	8	990	898	66	26
Murder	10	4	3	-	-	1	6	3	-	3
Manslaughter	48	15	14	1	-	-	33	25	7	1
Robbery	66	14	11	3	-	-	52	48	4	-
Aggravated assault	32	6	5	-	-	1	26	23	2	1
Burglary	340	31	24	4	-	3	309	290	11	8
Larceny, except auto theft ..	137	22	21	1	-	-	115	101	12	2
Auto theft	104	11	8	2	-	1	93	88	2	3
Embezzlement and fraud ...	54	7	6	1	-	-	47	39	8	-
Stolen property	26	6	5	-	1	-	20	16	2	2
Forgery	21	1	1	-	-	-	20	20	-	-
Rape	48	12	11	1	-	-	36	31	3	2
Commercialized vice	12	1	1	-	-	-	11	9	1	1
Other sex offenses	189	26	23	-	1	2	163	153	9	1
Violating drug laws	6	-	-	-	-	-	6	6	-	-
Carrying weapons, etc. ...	15	-	-	-	-	-	15	10	4	1
Other major offenses	60	22	21	1	-	-	38	36	1	1
Abortion	17	7	7	-	-	-	10	10	-	-
Arson	14	7	6	1	-	-	7	6	-	1
Bigamy	9	1	1	-	-	-	8	8	-	-
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break ..	10	-	-	-	-	-	10	9	1	-
Kidnaping	1	1	1	-	-	-	-	-	-	-
Perjury	7	4	4	-	-	-	3	3	-	-
Other offenses:										
Minor assault	85	14	12	2	-	-	71	60	10	1
Nonsupport or neglect	26	20	17	3	-	-	6	2	4	-
Violating liquor laws	32	13	11	2	-	-	19	14	3	2
Driving while intoxicated ..	65	17	12	2	3	-	48	36	11	1
Other motor vehicle laws ..	238	116	98	13	5	-	122	96	21	5
Disorderly conduct and vagrancy	76	38	33	4	-	1	38	24	12	2
Gambling	13	5	5	-	-	-	8	8	-	-
All other offenses	132	48	43	2	2	1	84	47	19	18

*Statistics are for the year July 1 through June 30.

(OVER)

Of those charged with major "property" crimes, 604, or 88.6 percent, were convicted, while of those charged with crimes against the person, 101, or 73.2 percent, were convicted. Robbery, the most frequent of the offenses involving both "person" and "property", was charged against 66 defendants, of whom 52 were convicted.

Comparative data for each of the past three years, which are given in table 3, show some variation in the types of sentences imposed on those convicted of major offenses, the most striking changes being the decrease from 1935-36 to 1937-38 of 7 percent in the proportion sentenced to prisons or reformatories, and the increase for the same years of 8 percent in the proportion placed on probation or whose sentences were suspended. Other changes were less pronounced.

While the extent to which the courts of Connecticut levy punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences imposed for offenses of the same general class. Some classes do, however, contain offenses of very different degrees of seriousness.

In Connecticut, the collection of judicial criminal statistics is made possible through the cooperation of the Judicial Council acting in conjunction with the individual courts. It is evident from these annual collections that there are variations from State to State in the definition and classification of crimes, in the use of pretrial dispositions, and in the use of probation and other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	990	100.0	783	100.0	786	100.0
Death	-	-	2	0.3	-	-
Prison or reformatory	324	32.7	262	33.5	312	39.7
Probation or suspended sentence	314	31.7	197	25.2	186	23.7
Local jails	322	32.5	287	36.7	254	32.3
Fine or costs only	29	2.9	33	4.2	31	3.9
Juvenile institutions	1	0.1	-	-	1	0.1
Other sentences	-	-	2	0.3	2	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1937-1938*

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,386	-	339	374	454	216	3	-
Major offenses, total	990	-	324	314	322	29	1	-
Murder	6	-	6	-	-	-	-	-
Manslaughter	33	-	4	8	19	2	-	-
Robbery	52	-	42	10	-	-	-	-
Aggravated assault	26	-	10	5	10	1	-	-
Burglary	309	-	109	109	90	-	1	-
Larceny, except auto theft	115	-	19	30	57	9	-	-
Auto theft	93	-	34	39	20	-	-	-
Embezzlement and fraud	47	-	14	11	16	6	-	-
Stolen property	20	-	2	5	9	4	-	-
Forgery	20	-	7	4	9	-	-	-
Rape	36	-	15	11	8	2	-	-
Commercialized vice	11	-	-	-	11	-	-	-
Other sex offenses	163	-	33	70	57	3	-	-
Violating drug laws	6	-	-	3	3	-	-	-
Carrying weapons, etc.	15	-	13	2	-	-	-	-
Other major offenses	38	-	16	7	13	2	-	-
Abortion	10	-	3	3	2	2	-	-
Aron	7	-	5	1	1	-	-	-
Bigamy	8	-	-	2	6	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	10	-	8	-	2	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	3	-	-	1	2	-	-	-
Other offenses:								
Minor assault	71	-	-	18	34	19	-	-
Noneupport or neglect	8	-	-	4	-	2	-	-
Violating liquor laws	19	-	-	-	1	18	-	-
Driving while intoxicated	48	-	-	5	24	19	-	-
Other motor vehicle laws	122	-	8	11	32	71	-	-
Disorderly conduct and vagrancy	38	-	-	9	15	14	-	-
Gambling	8	-	-	-	1	7	-	-
All other offenses	84	-	7	13	25	37	2	-

*Statistics are for the year July 1 through June 30.

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JUDICIAL CRIMINAL STATISTICS: 1937

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DISTRICT OF COLUMBIA

In 1937, the District Court of the District of Columbia disposed of charges of major crimes against 1,720 persons, and of these, 1,308, or 76.0 percent, were convicted. As is shown in Table 1, this represented an increase from the 73.5 percent convicted in 1936 and the 73.6 percent convicted in 1935. Pleas of guilty constituted by far the most frequent means of disposition, and such pleas were given in 57.7 percent of

the cases in 1935, 60.6 percent in 1936, and 64.4 percent in 1937. In 1937, 306 defendants exercised their right to a trial by jury, and of these, 201 were convicted, while in 1936, of 326 defendants tried by jury, 234 were convicted.

More detailed figures for 1937, which show the type of disposition by the offense charged, are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,720	100.0	1,846	100.0	1,684	100.0
Eliminated without conviction	412	24.0	490	26.5	444	26.4
Dismissed	301	17.5	392	21.2	315	18.7
Jury waived, acquitted by court ..	-	-	6	0.3	6	0.4
Acquitted by jury	105	6.1	92	5.0	123	7.3
Other no-penalty dispositions ..	6	0.3	-	-	-	-
Convicted	1,308	76.0	1,356	73.5	1,240	73.6
Plea of guilty	1,107	64.4	1,118	60.6	971	57.7
Court finds guilty	-	-	4	0.2	2	0.1
Jury verdict guilty	201	11.7	234	12.7	267	15.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,940	484	367	-	110	7	1,456	1,234	-	222
Major offenses, total ..	1,720	412	301	-	105	6	1,308	1,107	-	201
Murder	13	3	-	-	3	-	10	2	-	8
Manslaughter	28	9	4	-	5	-	19	13	-	6
Robbery	369	101	70	-	29	2	268	210	-	58
Aggravated assault	158	51	31	-	20	-	107	81	-	26
Burglary	383	34	28	-	4	2	349	304	-	45
Larceny, except auto theft ..	241	51	38	-	12	1	190	172	-	18
Auto theft	225	47	36	-	11	-	178	165	-	13
Embezzlement and fraud ...	89	36	28	-	8	-	53	47	-	6
Stolen property	42	24	19	-	5	-	18	13	-	5
Forgery	94	27	26	-	1	-	67	60	-	7
Rape	30	14	9	-	4	1	16	10	-	6
Commercialized vice	8	3	3	-	-	-	5	4	-	1
Other sex offenses	3	1	-	-	1	-	2	2	-	-
Violating drug laws	24	8	6	-	2	-	16	16	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-	-	-
Other major offenses	13	3	3	-	-	-	10	8	-	2
Abortion	4	1	1	-	-	-	3	2	-	1
Arson	1	-	-	-	-	-	1	-	-	1
Bigamy	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion ..	2	-	-	-	-	-	2	2	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	1	1	1	-	-	-	-	-	-	-
Other offenses:										
Minor assault	-	-	-	-	-	-	-	-	-	-
Insupport or neglect	13	5	5	-	-	-	8	8	-	-
Violating liquor laws	54	15	11	-	4	-	39	34	-	5
Driving while intoxicated ..	-	-	-	-	-	-	-	-	-	-
Other motor vehicle laws ..	-	-	-	-	-	-	-	-	-	-
Disorderly conduct and ..	-	-	-	-	-	-	-	-	-	-
Vagrancy	-	-	-	-	-	-	-	-	-	-
Gambling	132	46	46	-	-	-	96	79	-	7
All other offenses	21	6	4	-	1	1	15	6	-	9

(OVER)

Of the defendants charged with major crimes in 1937, 1,074, or 62.4 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 229, or 13.3 percent, were charged with committing acts involving personal injury - murder, manslaughter, aggravated assault, or rape. Of those charged with "property" crimes, 855, or 79.6 percent, were convicted, while of those charged with crimes against the person, 152, or 66.4 percent, were convicted. Robbery, an offense involving both "person" and "property", was the charge against 369, or 21.5 percent, of the major offenders, and of these, 268, or 72.6 percent, were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in each

of the three years, reveals a substantial increase (from 21.6 percent in 1936 to 34.5 percent in 1937) in the proportion placed on probation or under suspended sentences. Correspondingly, there were decreases in the proportion sentenced to prison or the reformatory from 62.8 percent in 1936 to 54.5 percent in 1937, and in the proportion sentenced to the local jail from 15.3 percent in 1936 to 10.3 percent in 1937.

Begun in 1932, the collection of statistics by the Bureau of the Census on the functioning of courts of State criminal jurisdiction has revealed that wide variations exist from State to State in the definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in the granting of probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,308	100.0	1,320	100.0	1,240	100.0
Death	4	0.3	1	0.1	4	0.3
Prison or reformatory	713	54.5	829	62.8	872	70.3
Probation or suspended sentence	451	34.5	285	21.6	281	22.7
Local jails	135	10.3	202	15.3	81	6.5
Fine or costs only	-	-	1	0.1	2	0.2
Juvenile institutions	5	0.4	2	0.2	-	-
Other sentences	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,456	4	735	526	184	2	5	-
Major offenses, total	1,308	4	713	451	135	-	5	-
Murder	10	4	6	-	-	-	-	-
Manslaughter	19	-	15	-	4	-	-	-
Robbery	268	-	180	56	32	-	-	-
Aggravated assault	107	-	50	39	18	-	-	-
Burglary	349	-	213	114	19	-	3	-
Larceny, except auto theft	190	-	88	83	19	-	-	-
Auto theft	178	-	81	81	14	-	2	-
Embezzlement and fraud	53	-	17	25	11	-	-	-
Stolen property	18	-	4	13	1	-	-	-
Forgery	67	-	31	26	10	-	-	-
Rape	16	-	9	3	4	-	-	-
Commercialized vice	5	-	3	1	1	-	-	-
Other sex offenses	2	-	-	1	1	-	-	-
Violating drug laws	16	-	10	5	1	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	10	-	6	4	-	-	-	-
Abortion	3	-	3	-	-	-	-	-
Arson	1	-	1	-	-	-	-	-
Bigamy	3	-	1	2	-	-	-	-
Blackmail and extortion	2	-	1	1	-	-	-	-
Escape and jail break	1	-	-	1	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	-	-	-	-	-	-	-	-
Nonsupport or neglect	8	-	-	8	-	-	-	-
Violating liquor laws	39	-	12	12	15	-	-	-
Driving while intoxicated	-	-	-	-	-	-	-	-
Other motor vehicle laws	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	86	-	7	50	27	2	-	-
All other offenses	15	-	3	5	7	-	-	-

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IDAHO

In 1937, 87.3 percent of the persons charged in the District Courts of Idaho with major criminal offenses were convicted, a steady decrease from the 82.9 percent convicted in 1936, and the 79.7 percent convicted in 1935. The major factors in these year-to-year changes were the proportion of defendants who plead guilty which increased from 69.1 percent in 1935 to 74.1 percent in 1937, and the proportion dismissed which decreased from 14.8

percent in 1935 to 8.3 percent in 1937. Table 1 shows the comparative data for the three years.

Table 2, which shows the methods of disposition by classes of offenses, reveals that of the 497 charges disposed of by the District Courts during 1937, 432 were for major criminal offense, and 65 were for offense of a less serious nature.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	432	100.0	449	100.0	453	100.0
Eliminated without conviction	55	12.7	77	17.1	92	20.3
Dismissed	36	8.3	53	11.8	67	14.8
Jury waived, acquitted by court	1	0.2	3	0.7	1	0.2
Acquitted by jury	15	3.5	17	3.8	16	3.5
Other no-penalty dispositions ..	3	0.7	4	0.9	8	1.8
Convicted	377	87.3	372	82.9	361	79.7
Plea of guilty	320	74.1	327	72.8	313	69.1
Court finds guilty	11	2.5	10	2.2	11	2.4
Jury verdict guilty	46	10.6	35	7.8	37	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1937

OFFENSE	Total defendant-disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	497	75	50	1	15	9	422	357	16	49
Major offenses, total ..	432	55	36	1	15	3	377	320	11	46
Murder	3	2	1	-	1	-	1	-	-	1
Manslaughter	16	4	1	-	3	-	12	9	-	3
Robbery	19	6	6	-	-	-	13	8	1	4
Aggravated assault	6	2	-	-	2	-	4	4	-	-
Burglary	96	5	4	-	1	-	91	79	1	11
Larceny, except auto theft	103	10	7	-	3	-	93	82	2	9
Auto theft	6	3	1	-	-	2	3	2	-	1
Embezzlement and fraud ...	19	6	4	-	2	-	13	8	1	4
Stolen property	14	2	2	-	-	-	12	9	2	1
Forgery	108	9	7	1	1	-	99	91	2	6
Rape	14	2	1	-	1	-	12	9	1	2
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	10	-	-	-	-	-	10	8	1	1
Violating drug laws	1	1	-	-	-	1	-	-	-	-
Carrying weapons, etc. ...	3	1	1	-	-	-	2	1	-	1
Other major offenses	14	2	1	-	1	-	12	10	-	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	1	-	-	-	-	-	1	-	-	1
Bigamy	1	1	1	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	9	-	-	-	-	-	9	9	-	-
Kidnaping	2	-	-	-	-	-	2	1	-	1
Perjury	1	1	-	-	1	-	-	-	-	-
Other offenses:										
Minor assault	14	2	2	-	-	-	12	10	-	2
Noneupport or neglect	6	3	3	-	-	-	3	3	-	-
Violating liquor laws	14	5	5	-	-	-	9	8	-	1
Driving while intoxicated	5	1	1	-	-	-	4	4	-	-
Other motor vehicle laws .	7	1	1	-	-	-	6	4	2	-
Disorderly conduct and										
vagrancy	9	5	1	-	-	4	4	2	2	-
Gambling	-	-	-	-	-	-	-	-	-	-
All other offenses	10	3	1	-	-	2	7	6	1	-

Of the major charges in 1937, 346, or 80.1 percent, involved the taking of property through some form of burglary, theft, forgery, or the receipt of stolen goods, while 39, or 9.0 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 311, or 89.9 percent, were convicted, and of those charged with offenses against the person, 29, or 74.4 percent, were convicted. Robbery, which involves both "person" and "property" was charged against 19 defendants, of whom 13 were convicted.

The types of sentences imposed on those convicted of major crimes during 1935, 1936, and 1937 reveals a decrease in the use of probation or suspended sentences from 30.3 percent in 1935 to 23.9 percent in 1937, and an increase in commitments to

local jails from 14.7 percent in 1935 to 21.5 percent in 1937. While the extent to which the Idaho courts choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, table 4 reveals a variety of sentences imposed during 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection by the Census Bureau of statistics on the functioning of State courts has indicated wide variations exist in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in granting probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	377	100.0	372	100.0	360	100.0
Death	1	0.3	-	-	-	-
Prison or reformatory	197	52.3	199	53.5	182	50.6
Probation or suspended sentence	90	23.9	90	24.2	109	30.3
Local jails	81	21.5	64	17.2	53	14.7
Fine or costs only	2	0.5	3	0.8	7	1.9
Juvenile institutions	6	1.6	5	1.3	9	2.5
Other sentences	-	-	11	3.0	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	422	1	200	103	96	16	6	-
Major offenses, total	377	1	197	90	81	2	6	-
Murder	1	1	-	-	-	-	-	-
Manslaughter	12	-	11	1	-	-	-	-
Robbery	13	-	11	2	-	-	-	-
Aggravated assault	4	-	2	2	-	-	-	-
Burglary	91	-	66	22	-	-	3	-
Larceny, except auto theft	93	-	21	25	44	1	2	-
Auto theft	3	-	3	-	-	-	-	-
Embezzlement and fraud	13	-	9	3	1	-	-	-
Stolen property	12	-	5	6	1	-	-	-
Forgery	99	-	42	25	31	-	1	-
Rape	12	-	10	2	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	10	-	5	1	3	1	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	2	-	1	-	1	-	-	-
Other major offenses	12	-	11	1	-	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	1	-	1	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	9	-	8	1	-	-	-	-
Kidnaping	2	-	2	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	12	-	-	-	4	8	-	-
Nonsupport or neglect	3	-	-	2	1	-	-	-
Violating liquor laws	9	-	1	3	4	1	-	-
Driving while intoxicated	4	-	-	3	-	1	-	-
Other motor vehicle laws	6	-	-	-	4	2	-	-
Disorderly conduct and vagrancy	4	-	2	2	-	-	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	7	-	-	3	2	2	-	-

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INDIANA

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The trial courts of the State of Indiana disposed of the criminal charges against 9,625 defendants during 1937 according to reports furnished the Bureau of the Census by the clerks of the various courts. Of these, 5,068, or 52.7 percent, were charged with what the Census Bureau has defined as major crimes, while the remaining 4,557, or 47.3 percent, were charged with less serious offenses.

The summary of the work of these courts in the disposition of defendants charged with major offenses is presented in table 1 and shows that 2,905, or 57.3 percent, were convicted, while the other 2,163, or 42.7 percent, won acquittals, dismissals, or other no penalty dispositions. It is interesting to note that only 5.1 percent of the defendants to major charges exercised their right to trial by jury, while 16.1 percent of the dispositions were by court trials after waiver of the right to jury hearings.

More detailed figures showing the type of disposition by the offense charged are presented in table 2. By grouping the major offenses which involved personal injury, namely, murder, manslaughter, aggravated assault, and rape, it may be seen that of the 757 defendants charged with one

of these crimes against the person, 370, or 48.9 percent, were convicted. A grouping of the defendants charged with the taking or conversion of property through some form of burglary, larceny, forgery, or the receipt of stolen goods reveals that 3,616, or 71.3 percent, of those accused of major crimes were charged with one of these "property" crimes and that of these, 2,158, or 59.7 percent, were convicted.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH
MAJOR OFFENSES: 1937

Disposition	Number	Percent
Defendants disposed of	5,068	100.0
Eliminated without conviction	2,163	42.7
Dismissed	1,774	35.0
Jury waived, acquitted by court ..	185	3.7
Acquitted by jury	86	1.7
Other no-penalty dispositions ..	118	2.3
Convicted	2,905	57.3
Plea of guilty	2,103	41.5
Court finds guilty	629	12.4
Jury verdict guilty	173	3.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CRIMINAL TRIAL COURTS OF INDIANA,
BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	9,625	4,352	3,622	353	117	260	5,273	3,998	1,047	228
Major offenses, total ..	5,068	2,163	1,774	185	86	118	2,905	2,103	629	173
Murder	86	43	29	1	5	8	43	12	6	25
Manslaughter	105	66	40	12	9	5	39	11	11	17
Robbery	267	127	85	21	18	3	140	78	46	16
Aggravated assault	359	184	152	19	6	7	175	92	57	26
Burglary	639	228	172	27	10	19	411	313	86	12
Larceny, except auto theft ..	1,570	551	465	44	6	36	1,019	805	192	22
Auto theft	406	124	87	10	1	26	282	201	68	13
Embezzlement and fraud ...	594	371	345	15	7	4	223	168	48	7
Stolen property	115	66	53	9	3	1	49	43	4	2
Forgery	292	118	111	4	2	1	174	143	26	5
Rape	207	94	75	7	11	1	113	57	39	17
Commercialized vice	11	4	4	-	-	-	7	7	-	-
Other sex offenses	133	55	44	7	-	4	78	57	19	2
Violating drug laws	11	2	2	-	-	-	9	4	1	4
Carrying weapons, etc. ...	130	55	50	2	2	1	75	54	17	4
Other major offenses	143	75	60	7	6	2	68	58	9	1
Abortion	3	3	2	1	-	-	-	-	-	-
Arson	25	15	12	-	2	1	10	7	3	-
Bigamy	8	2	2	-	-	-	6	3	3	-
Blackmail and extortion ..	7	5	3	-	1	1	2	2	-	-
Escape and jail break ...	37	1	-	-	1	-	36	35	1	-
Kidnaping	39	34	27	6	1	-	5	3	2	-
Perjury	24	15	14	-	1	-	9	8	-	1
Other offenses:										
Minor assault	418	206	182	15	2	7	212	160	42	10
Nonsupport or neglect	966	685	611	34	3	37	281	184	89	8
Violating liquor laws	815	254	219	14	5	16	561	496	57	8
Driving while intoxicated ..	530	160	105	35	9	11	370	274	84	12
Other motor vehicle laws ..	264	122	85	24	4	9	142	109	26	7
Disorderly conduct and vagrancy	548	149	118	4	1	26	399	369	28	2
Gambling	198	75	63	5	1	6	123	93	28	2
All other offenses	818	538	465	37	6	30	280	210	64	6

From table 3, which presents the types of sentences imposed on those convicted of major offenses, it may be seen that prison or reformatory sentences were, by far, the most frequent mode of punishment for this group.

From the more detailed figures of table 4 it may be seen that of the 370 defendants convicted of major crimes against the person, 258, or 69.7 percent, were sentenced to prisons or reformatories, and 59, or 15.9 percent, were placed on probation or under suspended sentences. Of the 2,158 persons convicted of major property crimes, 1,248, or 57.8 percent, were sentenced to prisons or reformatories, and 552, or 25.6 percent were placed on probation or under suspended sentences. While the extent to which the courts of Indiana determine punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, it is evident from table 4 that a variety of sentences are assessed for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

A further caution in the use of these figures must also be emphasized. Again this year, as in past years, the courts of Indiana have reported to the Census Bureau a very considerably larger number of persons sentenced to prisons and reformatories than these same penal institutions report having received. It is hoped that in the near future one of the State agencies will determine the reasons for these discrepancies, but, until that time, the possibility remains that they may be due to inaccuracies in reporting.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1937

Type of sentence	Number	Percent
Defendants sentenced	2,905	100.0
Death	9	0.3
Prison or reformatory	1,734	59.7
Probation or suspended sentence ..	677	23.3
Local jails	302	10.4
Fine or costs only	150	5.2
Juvenile institutions	33	1.1
Other sentences	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CRIMINAL TRIAL COURTS OF INDIANA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	5,273	9	2,102	1,202	782	1,115	62	1
Major offenses, total	2,905	9	1,734	677	302	150	33	-
Murder	43	9	34	-	-	-	-	-
Manslaughter	39	-	36	3	-	-	-	-
Robbery	140	-	110	18	10	2	-	-
Aggravated assault	175	-	99	37	22	16	1	-
Burglary	411	-	281	92	21	8	9	-
Larceny, except auto theft	1,019	-	512	278	156	52	21	-
Auto theft	282	-	194	65	17	5	1	-
Embezzlement and fraud	223	-	122	59	23	19	-	-
Stolen property	49	-	19	19	10	1	-	-
Forgery	174	-	120	39	10	5	-	-
Rape	113	-	89	19	3	2	-	-
Commercialized vice	7	-	2	3	-	2	-	-
Other sex offenses	78	-	39	16	14	8	1	-
Violating drug laws	9	-	3	-	3	3	-	-
Carrying weapons, etc.	75	-	20	16	13	26	-	-
Other major offenses	68	-	54	13	-	1	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	10	-	9	1	-	-	-	-
Bigamy	6	-	4	2	-	-	-	-
Blackmail and extortion	2	-	2	-	-	-	-	-
Escape and jail break	36	-	35	1	-	-	-	-
Kidnaping	5	-	2	3	-	-	-	-
Perjury	9	-	2	6	-	1	-	-
Other offenses:								
Minor assault	212	-	22	53	48	88	1	-
Nonsupport or neglect	281	-	57	174	18	32	-	-
Violating liquor laws	561	-	69	121	158	212	1	-
Driving while intoxicated	370	-	100	44	138	87	-	1
Other motor vehicle laws	142	-	18	27	22	74	1	-
Disorderly conduct and vagrancy	399	-	42	35	62	257	3	-
Gambling	123	-	2	8	5	108	-	-
All other offenses	280	-	58	63	29	107	23	-

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IOWA

In 1937, 77.9 percent of the persons charged with major criminal offenses in the Iowa District Courts were convicted, a notable increase from the 72.9 percent convicted in 1936, and the 74.8 percent convicted in 1935. Almost all dispositions resulted either from dismissals or pleas of guilt, while trials by courts and juries accounted for 10.2 percent of the dispositions in 1935, 6.5 percent in 1936, and 7.0 percent in 1937.

These data, which are shown in table 1, are, like those following, from reports made to the Bureau of the Census by courts, which, on the basis of the 1930 population, covered 65.7 percent of the State in 1937, 62.5 percent in 1936, and 84.8 percent in 1935.

More detailed figures on the work of these courts in 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,572	100.0	1,352	100.0	2,109	100.0
Eliminated without conviction	348	22.1	366	27.1	532	25.2
Dismissed	308	19.6	327	24.2	443	21.0
Jury waived, acquitted by court ..	2	0.1	2	0.1	-	-
Acquitted by jury	30	1.9	26	1.9	67	3.2
Other no-penalty dispositions ..	8	0.5	11	0.8	22	1.0
Convicted	1,224	77.9	986	72.9	1,577	74.8
Plea of guilty	1,146	72.9	925	68.4	1,429	67.8
Court finds guilty	26	1.7	16	1.2	27	1.3
Jury verdict guilty	52	3.3	45	3.3	121	5.7

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IOWA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,847	639	561	5	63	10	2,208	2,077	48	83
Major offenses, total ..	1,572	348	308	2	30	8	1,224	1,146	26	52
Murder	24	9	6	-	3	-	15	7	3	5
Manslaughter	15	11	3	-	8	-	4	2	-	2
Robbery	37	11	10	-	1	-	26	24	-	2
Aggravated assault	70	14	11	-	2	1	56	48	4	4
Burglary	233	37	34	-	2	1	196	187	1	8
Larceny, except auto theft ..	479	65	56	2	5	2	414	400	7	7
Auto theft	97	13	13	-	-	-	84	81	2	1
Embezzlement and fraud ...	125	45	42	-	1	2	80	75	1	4
Stolen property	26	2	1	-	1	-	24	19	4	1
Forgery	192	52	49	-	2	1	140	138	1	1
Rape	41	18	15	-	3	-	23	18	-	5
Commercialized vice	5	2	2	-	-	-	3	2	-	1
Other sex offenses	132	52	50	-	1	1	80	76	1	3
Violating drug laws	4	-	-	-	-	-	4	3	-	1
Carrying weapons, etc. ...	26	2	2	-	-	-	24	21	-	3
Other major offenses	66	15	14	-	1	-	51	45	2	4
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	14	5	5	-	-	-	9	9	-	-
Bigamy	3	-	-	-	-	-	3	2	1	-
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break ..	39	4	3	-	1	-	35	31	-	4
Kidnaping	4	2	2	-	-	-	2	2	-	-
Perjury	4	2	2	-	-	-	2	1	1	-
Other offenses:										
Minor assault	32	8	7	-	1	-	24	22	-	2
Nonsupport or neglect	125	40	38	-	2	-	85	74	9	2
Violating liquor laws	282	66	62	-	4	-	216	202	2	12
Driving while intoxicated ..	492	73	57	-	16	-	419	400	7	12
Other motor vehicle laws ..	95	41	36	-	4	1	54	53	1	-
Disorderly conduct and vagrancy	32	7	6	1	-	-	25	25	-	-
Gambling	47	-	-	-	-	-	47	47	-	-
All other offenses	170	56	47	2	6	1	114	108	3	3

#11859

(OVER)

Of the defendants in 1937, 1,572, or 55.2 percent, were charged with major crimes, and of these, 1,152, or 73.3 percent, were charged with taking property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 150, or 9.5 percent, were charged with doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 938, or 81.4 percent were convicted, and of those charged with crimes against the person, 98, or 65.3 percent, were convicted. Robbery, which involves both "person" and "property", was the charge against 37 defendants, of whom 26 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major offenses during these three years, reveals that jail, prison, and

reformatory sentences were given to 71.1 and 71.5 percent of those convicted in 1935 and 1936, respectively, and to 80.2 percent in 1937. The proportion granted probation decreased from about 23 percent in 1935 and 1936 to 15.3 percent in 1937. The extent to which Iowa courts determine punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, but table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection of judicial criminal statistics by the Census Bureau is made possible through the cooperation of the clerks of the trial courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,224	100.0	983	100.0	1,570	100.0
Death	1	0.1	2	0.2	1	0.1
Prison or reformatory	526	43.0	408	41.5	645	41.1
Probation or suspended sentence	187	15.3	229	23.3	367	23.4
Local jails	455	37.2	295	30.0	471	30.0
Fine or costs only	44	3.6	41	4.2	67	4.3
Juvenile institutions	11	0.9	8	0.8	16	1.0
Other sentences	-	-	-	-	3	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IOWA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	2,208	1	570	380	852	393	12	-
Major offenses, total	1,224	1	526	187	455	44	11	-
Murder	15	1	14	-	-	-	-	-
Manslaughter	4	-	2	2	-	-	-	-
Robbery	26	-	26	-	-	-	-	-
Aggravated assault	56	-	29	4	19	4	-	-
Burglary	196	-	78	24	85	3	6	-
Larceny, except auto theft	414	-	116	83	195	15	5	-
Auto theft	84	-	50	12	16	6	-	-
Embezzlement and fraud	80	-	31	20	27	2	-	-
Stolen property	24	-	6	4	12	2	-	-
Forgery	140	-	69	14	53	4	-	-
Rape	23	-	21	-	2	-	-	-
Commercialized vice	3	-	2	1	-	-	-	-
Other sex offense	80	-	30	18	26	6	-	-
Violating drug laws	4	-	1	-	3	-	-	-
Carrying weapons, etc.	24	-	9	4	10	1	-	-
Other major offenses	51	-	42	1	7	1	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	9	-	5	-	3	1	-	-
Bigamy	3	-	1	-	2	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	35	-	35	-	-	-	-	-
Kidnaping	2	-	-	-	2	-	-	-
Perjury	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault	24	-	-	6	17	1	-	-
Nonsupport or neglect	85	-	8	66	8	3	-	-
Violating liquor laws	216	-	10	45	88	73	-	-
Driving while intoxicated	419	-	8	36	191	184	-	-
Other motor vehicle laws	54	-	5	11	22	16	-	-
Disorderly conduct and vagrancy	25	-	-	5	17	3	-	-
Gambling	47	-	-	3	2	42	-	-
All other offenses	114	-	13	21	52	27	1	-

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KANSAS

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Reports to the Bureau of the Census for 1935, 1936, and 1937 reveal a steady decrease in the number of defendants charged with major offenses who were disposed of by the District Courts of Kansas, but show little change in the proportions convicted. There was an even greater numerical reduction than table 1 reveals, for in 1937 the definition of major offenses was expanded to include seven classes of crimes which were not in-

cluded in the major offense totals for 1935 and 1936, but which involved 88 defendants in 1937.

With approximately one-fifth of the defendants dismissed each year and more than three-fifths pleading guilty, it is apparent that the proportion tried by courts and juries is relatively small. Actually, the percentage tried varied from 16.8 in 1935 to 12.8 in 1936 and to 13.1 in 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,793	100.0	1,842	100.0	2,110	100.0
Eliminated without conviction	452	25.2	464	25.2	559	26.5
Dismissed	380	21.2	374	20.3	417	19.8
Jury waived, acquitted by court	3	0.2	2	0.1	6	0.3
Acquitted by jury	54	3.0	61	3.3	109	5.2
Other no-penalty dispositions ..	15	0.8	27	1.5	27	1.3
Convicted	1,341	74.8	1,378	74.8	1,551	73.5
Plea of guilty	1,164	64.9	1,205	65.4	1,311	62.1
Court finds guilty	20	1.1	7	0.4	26	1.2
Jury verdict guilty	157	8.8	166	9.0	214	10.1

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,807	890	777	7	89	17	1,917	1,630	67	220
Major offenses, total ..	1,793	452	380	3	54	15	1,341	1,164	20	157
Murder	34	16	4	-	7	5	18	7	-	11
Manslaughter	23	11	4	1	6	-	12	7	-	5
Robbery	98	27	25	-	2	-	71	60	1	10
Aggravated assault	60	30	25	-	4	1	30	20	1	9
Burglary	286	57	46	2	9	-	229	211	1	17
Larceny, except auto theft ..	548	87	75	-	8	4	461	410	10	41
Auto theft	93	16	13	-	2	1	77	68	-	9
Embezzlement and fraud ...	176	95	88	-	5	2	81	70	-	11
Stolen property	31	5	5	-	-	-	26	21	-	5
Forgery	236	45	41	-	4	-	191	177	1	13
Rape	76	24	20	-	3	1	52	34	2	16
Commercialized vice	5	2	2	-	-	-	3	3	-	-
Other sex offenses	25	8	8	-	-	-	17	13	1	3
Violating drug laws	9	3	2	-	1	-	6	4	2	-
Carrying weapons, etc. ...	5	2	1	-	1	-	3	2	-	1
Other major offenses	88	24	21	-	2	1	64	57	1	6
Abortion	3	2	2	-	-	-	1	-	-	1
Arson	38	7	5	-	1	1	31	29	1	1
Bigamy	11	3	3	-	-	-	8	7	-	1
Blackmail and extortion ..	2	1	1	-	-	-	1	1	-	-
Escape and jail break ..	27	8	8	-	-	-	19	18	-	1
Kidnaping	4	2	2	-	-	-	2	1	-	1
Perjury	3	1	-	-	1	-	2	1	-	1
Other offenses:										
Minor assault	59	21	20	-	1	-	38	31	2	5
Nonsupport or neglect	158	88	87	-	1	-	70	58	8	4
Violating liquor laws	485	165	148	2	14	1	320	267	19	34
Driving while intoxicated ..	73	30	26	-	4	-	43	34	2	7
Other motor vehicle laws ..	29	14	12	1	1	-	15	13	-	2
Disorderly conduct and vagrancy	24	16	14	-	2	-	8	7	-	1
Gambling	57	19	16	1	2	-	38	25	11	2
All other offenses	129	85	74	-	10	1	44	31	5	8

More detailed figures for 1937, given in table 2, show that 1,793, or 63.9 percent, of the defendants were charged with major crimes, and the remaining 1,014, or 36.1 percent, with less serious ones. Of the major offenses charged, 1,370, or 76.4 percent, involved the taking, receipt, or conversion of property through some form of fraud, forgery, burglary, larceny, or the receipt of stolen goods, while 193, or 10.8 percent, involved the doing of bodily harm through murder, assault, manslaughter, or rape. Convictions resulted in 1,065, or 77.7 percent, of the cases of crimes against "property", and in 112, or 58.0 percent, of the cases of crimes against the person. Robbery, involving both "person" and "property", was the charge against 98, or 5.5 percent, of the defendants in major cases, and of these, 71, or 72.4 percent, were convicted.

Only slight variations in the types of sentences imposed on those convicted of major offenses in each of these three years are revealed by the comparative data presented in table 3. Prison or reformatory sentences, which were assessed in about 70 percent of the convictions, were by far the most frequent type of punishment, with probation, assessed in approximately 15 percent, second. While the extent to which the courts of Kansas choose punishment on the basis of the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows that a variety of punishments and treatments are levied in offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes of offenses include crimes of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,341	100.0	1,371	100.0	1,545	100.0
Death	1	0.1	1	0.1	-	-
Prison or reformatory	961	71.7	1,014	74.0	1,066	69.0
Probation or suspended sentence	203	15.1	198	14.4	243	15.7
Local jails	158	11.8	128	9.3	187	12.1
Fine or costs only	16	1.2	25	1.8	45	2.9
Juvenile institutions	2	0.1	-	-	-	-
Other sentences	-	-	5	0.4	4	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,917	1	1,036	335	402	138	5	-
Major offenses, total	1,341	1	961	203	158	16	2	-
Murder	18	1	17	-	-	-	-	-
Manslaughter	12	-	9	1	2	-	-	-
Robbery	71	-	66	5	-	-	-	-
Aggravated assault	30	-	25	5	-	-	-	-
Burglary	229	-	203	26	-	-	-	-
Larceny, except auto theft	461	-	266	94	89	11	1	-
Auto theft	77	-	60	3	14	-	-	-
Embezzlement and fraud	81	-	44	24	10	2	1	-
Stolen property	26	-	15	2	8	1	-	-
Forgery	191	-	150	29	10	2	-	-
Rape	52	-	40	8	4	-	-	-
Commercialized vice	3	-	2	-	1	-	-	-
Other sex offenses	17	-	11	1	5	-	-	-
Violating drug laws	6	-	6	-	-	-	-	-
Carrying weapons, etc.	3	-	-	1	2	-	-	-
Other major offenses	64	-	47	4	13	-	-	-
Abortion	1	-	1	-	-	-	-	-
Arson	31	-	21	2	8	-	-	-
Bigamy	8	-	7	-	1	-	-	-
Blackmail and extortion	1	-	-	1	-	-	-	-
Escape and jail break	19	-	14	1	4	-	-	-
Kidnaping	2	-	2	-	-	-	-	-
Perjury	2	-	2	-	-	-	-	-
Other offenses:								
Minor assault	38	-	-	4	25	9	-	-
Nonsupport or neglect	70	-	21	45	2	2	-	-
Violating liquor laws	320	-	46	59	173	42	-	-
Driving while intoxicated	43	-	3	5	20	15	-	-
Other motor vehicle laws	15	-	-	4	5	6	-	-
Disorderly conduct and vagrancy	8	-	1	1	4	2	-	-
Gambling	38	-	-	3	3	29	3	-
All other offenses	44	-	4	11	12	17	-	-

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Page 1

MASSACHUSETTS

In 1937, major criminal charges against 3,044 persons were disposed of by the Superior Courts of Massachusetts, and, of these, 2,529, or 83.1 percent, resulted in convictions. Of similar charges in 1935 and 1936, respectively, 77.4 percent and 80.0 percent resulted in convictions. From table 1, which shows these data, it may also be seen that between 1935 and 1937, there were increases in the proportions of pleas of guilty from 65.9

percent to 69.9 percent and in court trials from 2.1 percent to 4.7 percent, and decreases in the proportions of dismissals from 13.3 percent to 10.0 percent and in jury trials from 18.6 percent to 15.4 percent.

More detailed figures on the work of these courts during 1937 are shown in table 2, which gives the outcome of disposition by offense.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	3,044	100.0	2,891	100.0	3,570	100.0
Eliminated without conviction	515	16.9	578	20.0	806	22.6
Dismissed	304	10.0	312	10.8	476	13.3
Jury waived, acquitted by court ..	66	2.2	45	1.6	40	1.1
Acquitted by jury	145	4.8	221	7.6	290	8.1
Other no-penalty dispositions ..	-	-	-	-	-	-
Convicted	2,529	83.1	2,313	80.0	2,764	77.4
Plea of guilty	2,129	69.9	1,981	68.5	2,352	65.9
Court finds guilty	76	2.5	64	2.2	36	1.0
Jury verdict guilty	324	10.6	268	9.3	376	10.5

Table 2. DEFENDANTS IN CRIMINAL CASES DISPOSED OF BY THE SUPERIOR COURTS OF MASSACHUSETTS, BY PROCEDURAL OUTCOME AND OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	3,601	646	406	73	167	-	2,955	2,480	107	368
Major offenses, total ..	3,044	515	304	66	145	-	2,529	2,129	76	324
Murder	12	1	1	-	-	-	11	6	-	5
Manslaughter	31	13	5	3	5	-	18	14	2	2
Robbery	404	73	39	6	28	-	331	244	11	76
Aggravated assault	163	34	18	2	14	-	129	86	3	40
Burglary	927	87	47	15	25	-	840	792	4	44
Larceny, except auto theft ..	*441	106	83	9	14	-	335	272	22	41
Auto theft	321	40	27	6	7	-	281	248	2	31
Embezzlement and fraud ...	(*)									
Stolen property	51	11	8	1	2	-	40	34	3	3
Forgery	50	8	3	3	2	-	42	42	-	-
Rape	225	36	20	5	11	-	189	138	19	32
Commercialized vice	11	6	4	-	2	-	5	4	1	-
Other sex offenses	98	21	7	8	6	-	77	59	3	15
Violating drug laws	10	3	3	-	-	-	7	6	1	-
Carrying weapons, etc. ...	130	16	11	1	4	-	114	96	1	17
Other major offenses	170	60	28	7	25	-	110	88	4	18
Abortion	47	9	6	-	3	-	38	31	-	7
Arson	67	36	11	5	20	-	31	23	1	7
Bigamy	10	2	2	-	-	-	8	8	-	-
Blackmail and extortion ..	7	1	-	1	-	-	6	3	2	1
Escape and jail break ..	14	2	2	-	-	-	12	12	-	-
Kidnaping	10	4	2	1	1	-	6	4	-	2
Perjury	15	6	5	-	1	-	9	7	1	1
Other offenses:										
Minor assault	122	14	11	1	2	-	108	81	6	21
Nonsupport or neglect	168	61	57	2	2	-	107	101	4	2
Violating liquor laws	5	2	1	-	1	-	3	3	-	-
Driving while intoxicated ..	22	4	2	1	1	-	18	16	1	1
Other motor vehicle laws ..	106	12	5	2	5	-	94	82	4	8
Disorderly conduct and vagrancy	27	5	2	-	3	-	22	18	4	-
Gambling	5	1	-	-	1	-	4	3	-	1
All other offenses	102	32	24	1	7	-	70	47	12	11

*Larceny, except auto theft, includes embezzlement and fraud.

(OVER)

Of the major charges in 1937, 1,790, or 58.8 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 431, or 14.2 percent, involved the doing of bodily harm through murder, manslaughter, assault, or rape. Convictions resulted in 1,538, or 85.9 percent, of the charges of crimes against "property", and in 347, or 80.5 percent, of the crimes against the person. Of the major charges, 404, or 13.3 percent, were of robbery, which involves both "property" and "person", and 331, or 81.9 percent, of these resulted in convictions.

Table 3, which presents the types of sentences imposed on those convicted of major offenses in 1935, 1936, and 1937, reveals an increase in jail, reformatory, and prison sentences from 50.4 per-

cent in 1935 to 58.1 percent in 1937, and a decrease in probation, suspended sentences, and cases "on file" from 48.9 percent in 1935 to 40.9 percent in 1937. "On file" designates those cases in which the court does not immediately fix sentence, but reserves the right to do so at any future time, and is a form of suspending sentence peculiar to Massachusetts.

While the extent to which Massachusetts courts choose correctional treatment for its rehabilitative effect on the offender or choose punishment according to the seriousness of the crime is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,529	100.0	2,313	100.0	2,764	100.0
Death	1	-	1	-	4	0.1
Prison or reformatory	774	30.6	714	30.9	695	25.1
Probation or suspended sentence	736	29.1	721	31.2	941	34.0
Local jails	695	27.5	531	23.0	700	25.3
Fine or costs only	24	0.9	46	2.0	12	0.4
Juvenile institutions	-	-	-	-	-	-
On file after conviction	299	11.8	300	13.0	412	14.9

Table 4. DEFENDANTS IN CRIMINAL CASES FOUND GUILTY AND SENTENCED BY THE SUPERIOR COURTS OF MASSACHUSETTS, BY SENTENCE OR TREATMENT AND OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	On file after conviction
All offenses	2,955	1	796	909	810	67	-	372
Major offenses, total	2,529	1	774	736	695	24	-	299
Murder	11	1	10	-	-	-	-	-
Manslaughter	18	-	14	-	3	1	-	-
Robbery	331	-	187	35	84	-	-	25
Aggravated assault	129	-	21	29	69	1	-	9
Burglary	840	-	263	304	167	-	-	106
Larceny, except auto theft	*335	-	55	123	87	-	-	70
Auto theft	281	-	70	90	100	-	-	21
Embezzlement and fraud	(*)	-	-	-	-	-	-	-
Stolen property	40	-	5	29	2	1	-	3
Forgery	42	-	1	14	18	-	-	9
Rape	189	-	81	30	62	-	-	16
Commercialized vice	5	-	3	1	-	-	-	1
Other sex offenses	77	-	28	15	16	1	-	17
Violating drug laws	7	-	-	5	-	-	-	2
Carrying weapons, etc.	114	-	13	33	43	14	-	11
Other major offenses	110	-	23	28	44	6	-	9
Abortion	38	-	7	8	15	3	-	5
Arson	31	-	5	12	10	1	-	3
Bigamy	8	-	-	4	4	-	-	-
Bribe and extortion	6	-	-	2	2	1	-	1
Escape and jail break	12	-	5	-	7	-	-	-
Kidnaping	6	-	6	-	-	-	-	-
Perjury	9	-	-	2	6	1	-	-
Other offenses:								
Minor assault	108	-	-	38	48	6	-	16
Nonsupport or neglect	107	-	10	76	15	1	-	5
Violating liquor laws	3	-	-	3	-	-	-	-
Driving while intoxicated	18	-	2	3	3	8	-	2
Other motor vehicle laws	94	-	6	21	24	20	-	23
Disorderly conduct and vagrancy	22	-	-	3	8	1	-	10
Gambling	4	-	-	-	1	3	-	-
All other offenses	70	-	4	29	16	4	-	17

*Larceny, except auto theft, includes embezzlement and fraud.

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MICHIGAN

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Through the inclusion of major offense dispositions in the Superior Court of Grand Rapids and the Recorder's Court of Detroit, the Census Bureau statistics on judicial criminal procedures in Michigan are practically complete for 1937, since they include courts having jurisdiction, on the basis of the 1930 population, over 98.4 percent of the State. Since the two courts did not report in 1935 and 1936, the respective populations covered

in these years were 61.0 percent and 60.5 percent. From these reports, data in table 1 show the procedural outcome for dispositions of major cases in each of these years, and reveals that while the proportions convicted remained approximately the same, there were considerable variations in the proportionate use of disposition methods. Particularly evident is the decrease in pleas of guilty and the increase in dispositions by trial.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	4,723	100.0	2,624	100.0	2,693	100.0
Eliminated without conviction	822	17.4	424	16.2	434	16.1
Dismissed	467	9.9	292	11.1	291	10.8
Jury waived, acquitted by court ..	73	1.5	17	0.6	16	0.6
Acquitted by jury	224	4.7	80	3.0	90	3.3
Other non-penalty dispositions ..	58	1.2	35	1.3	37	1.4
Convicted	3,901	82.6	2,200	83.8	2,259	83.9
Plea of guilty	3,092	65.5	1,821	69.4	1,994	74.0
Court finds guilty	241	5.1	92	3.5	44	1.6
Jury verdict guilty	568	12.0	287	10.9	221	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	7,122	1,168	728	97	264	79	5,954	5,009	289	656
Major offensee, total ..	4,723	822	467	73	224	58	3,901	3,092	241	568
Murder	55	15	3	-	7	5	40	18	2	20
Manslaughter	258	87	17	3	64	3	171	76	10	85
Robbery	313	57	23	2	27	5	256	166	8	82
Aggravated assault	246	85	50	2	24	9	161	102	14	45
Burglary	907	96	56	7	26	7	811	694	36	81
Larceny, except auto theft ..	891	94	58	5	20	11	797	705	29	63
Auto theft	580	58	50	1	7	-	522	449	17	56
Embezzlement and fraud ...	223	63	47	2	10	4	160	130	10	20
Stolen property	62	11	8	1	2	-	51	42	5	4
Forgery	150	12	9	1	1	1	138	130	1	7
Rape	246	65	37	15	11	2	181	112	30	39
Commercialized vice	24	6	6	-	-	-	18	15	2	1
Other sex offensee	406	91	47	24	15	5	315	226	55	34
Violating drug laws	43	14	12	1	-	1	29	22	3	4
Carrying weapon, etc. ...	174	30	15	9	5	1	144	113	19	12
Other major offensee	145	38	29	-	5	4	107	92	-	15
Abortion	4	2	2	-	-	-	2	2	-	-
Arson	42	18	11	-	5	2	24	19	-	5
Bigamy	13	3	3	-	-	-	10	7	-	3
Blackmail and extortion ..	2	-	-	-	-	-	2	2	-	-
Escape and jail break ..	56	6	4	-	-	2	50	50	-	-
Kidnaping	5	-	-	-	-	-	5	1	-	4
Perjury	23	9	9	-	-	-	14	11	-	3
Other offensee:										
Minor assault	124	27	16	5	3	3	97	86	2	9
Nonsupport or neglect	224	63	59	3	1	-	161	148	9	4
Violating liquor laws	125	29	22	2	4	1	96	83	6	7
Driving while intoxicated ..	207	28	19	-	8	1	179	161	6	12
Other motor vehicle laws ..	732	48	33	4	6	5	684	662	1	21
Disorderly conduct and vagrancy	522	30	26	-	2	2	492	482	3	7
Gambling	33	5	5	-	-	-	28	26	2	-
All other offensee	432	116	81	10	16	9	316	269	19	28

More detailed figures on the work of these courts in 1937, shown in table 2, reveal that 2,813, or 59.6 percent, of the major offenders were charged with the taking, conversion, or receipt of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 805, or 17.0 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 2,479, or 88.1 percent, were convicted, while of those charged with offenses against the person, 553, or 68.7 percent, were convicted. Robbery, involving both "person" and "property" was the charge against 313 defendants, of whom, 256, or 81.8 percent, were convicted.

A study of the types of sentences imposed on those convicted of major offenses in 1935, 1936,

and 1937, shown in table 3, reveals that approximately three-fifths were sentenced to prisons, reformatories, or local jails each year, while most of the remaining two-fifths received suspended sentences or probation. The extent to which Michigan courts choose punishments according to the seriousness of the offense or correctional treatment for its rehabilitative effect on the offender is unknown, but table 4 shows a variety of sentences for the same general class of offenses. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of judicial criminal statistics was begun by the Bureau of the Census in 1932, and is made possible by the voluntary cooperation of the clerks of the various general trial courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	3,901	100.0	2,189	100.0	2,257	100.0
Death	-	-	-	-	-	-
Prison or reformatory	1,856	47.6	1,109	50.7	1,154	51.1
Probation or suspended sentence	1,463	37.5	835	38.1	818	36.2
Local jails	458	11.7	160	7.3	207	9.2
Fine or costs only	123	3.2	85	3.9	76	3.4
Juvenile institutions	1	-	-	-	-	-
Other sentences	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	5,954	-	1,971	1,821	937	1,224	1	-
Major offenses, total	3,901	-	1,856	1,463	458	123	1	-
Murder	40	-	40	-	-	-	-	-
Manslaughter	171	-	71	85	5	10	-	-
Robbery	256	-	220	36	-	-	-	-
Aggravated assault	161	-	88	70	-	3	-	-
Burglary	811	-	453	351	-	7	-	-
Larceny, except auto theft	797	-	247	244	260	46	-	-
Auto theft	522	-	236	235	42	9	-	-
Embezzlement and fraud	160	-	43	87	14	16	-	-
Stolen property	51	-	14	24	6	7	-	-
Forgery	138	-	66	58	9	4	1	-
Rape	181	-	133	36	12	-	-	-
Commercialized vice	18	-	4	6	8	-	-	-
Other sex offense	315	-	110	126	65	14	-	-
Violating drug laws	29	-	18	7	4	-	-	-
Carrying weapons, etc.	144	-	45	74	18	7	-	-
Other major offenses	107	-	68	24	15	-	-	-
Abortion	2	-	2	-	-	-	-	-
Arson	24	-	13	7	4	-	-	-
Bigamy	10	-	7	3	-	-	-	-
Blackmail and extortion	2	-	-	2	-	-	-	-
Escape and jail break	50	-	39	2	9	-	-	-
Kidnaping	5	-	5	-	-	-	-	-
Ferjury	14	-	2	10	2	-	-	-
Other offenses:								
Minor assault	97	-	-	27	45	25	-	-
Nonsupport or neglect	161	-	35	109	10	7	-	-
Violating liquor laws	96	-	13	44	15	24	-	-
Driving while intoxicated	179	-	16	16	77	70	-	-
Other motor vehicle laws	684	-	8	35	21	620	-	-
Disorderly conduct and vagrancy	492	-	15	57	261	159	-	-
Gambling	28	-	-	3	1	24	-	-
All other offense	316	-	28	67	49	172	-	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1937

MINNESOTA

For the year 1937, the reports of the District Courts of Minnesota show the same high rate of conviction of those charged with major offenses as had been attained in the years of 1935 and 1936. For 1937, the percentage of such defendants convicted was 87.8, while in the preceding year it was 87.9 percent, and in 1935, 86.9 percent. From table 1, which shows these data, it may also be noted that in 1937 only 7.6 percent of the defend-

ants charged with major crimes availed themselves of the right to trial by jury, while 82.7 percent were convicted by pleas of guilty, and 0.5 percent had their guilt determined by the court after waiving the right to jury trial.

More detailed figures, which show the type of disposition by offense are given for both major and minor offenses in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,908	100.0	1,911	100.0	2,164	100.0
Eliminated without conviction	232	12.2	231	12.1	284	13.1
Dismissed	161	8.4	168	8.8	202	9.3
Jury waived, acquitted by court ..	1	0.1	1	0.1	1	(*)
Acquitted by jury	55	2.9	46	2.4	60	2.8
Other no-penalty dispositions ..	15	0.8	16	0.8	21	1.0
Convicted	1,676	87.8	1,680	87.9	1,880	86.9
Plea of guilty	1,578	82.7	1,586	83.0	1,762	81.4
Court finds guilty	8	0.4	6	0.3	3	0.1
Jury verdict guilty	90	4.7	88	4.6	115	5.3

*Percent not shown where less than 0.1

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MINNESOTA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,330	301	218	2	64	17	2,029	1,912	12	105
Major offenses, total ..	1,908	232	161	1	55	15	1,676	1,578	8	90
Murder	19	5	-	-	4	1	14	10	-	4
Manslaughter	40	13	5	-	8	-	27	21	-	6
Robbery	80	5	5	-	-	-	75	73	-	2
Aggravated assault	85	22	9	-	11	2	63	53	-	10
Burglary	256	20	14	-	4	2	236	223	1	12
Larceny, except auto theft ..	630	70	56	1	9	4	560	537	3	20
Auto theft	163	3	-	-	3	-	160	157	1	2
Embezzlement and fraud ...	51	17	16	-	1	-	34	30	-	4
Stolen property	24	4	3	-	1	-	20	18	-	2
Forgery	287	28	26	-	1	1	259	255	1	3
Rape	92	17	13	-	4	-	75	65	1	9
Commercialized vice	5	1	1	-	-	-	4	4	-	-
Other sex offenses	108	14	6	-	4	4	94	83	1	10
Violating drug laws	4	-	-	-	-	-	4	4	-	-
Carrying weapons, etc. ...	10	2	1	-	-	1	8	7	-	1
Other major offenses	54	11	6	-	5	-	43	38	-	5
Abortion	4	1	-	-	1	-	3	3	-	-
Arson	24	2	1	-	1	-	22	19	-	3
Bigamy	6	-	-	-	-	-	6	5	-	1
Blackmail and extortion ..	5	2	1	-	1	-	3	2	-	1
Escape and jail break ..	5	-	-	-	-	-	5	5	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	10	6	4	-	2	-	4	4	-	-
Other offenses:										
Minor assault	35	7	6	-	1	-	28	27	1	-
Nonsupport or neglect	114	20	18	1	-	1	94	91	1	2
Violating liquor laws	59	7	5	-	2	-	52	52	-	-
Driving while intoxicated ..	71	7	7	-	-	-	64	61	1	2
Other motor vehicle laws ..	35	6	5	-	1	-	29	29	-	-
Disorderly conduct and vagrancy	4	2	2	-	-	-	2	2	-	-
Gambling	49	4	3	-	-	1	45	40	1	4
All other offenses	55	16	11	-	5	-	39	32	-	7

Of the 1,908 persons charged with major crimes in 1937, it may be seen from table 2 that 1,411, or 74.0 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 236, or 12.4 percent, were charged with doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 1,269, or 89.9 percent, were convicted, and of those charged with crimes against the person, 179, or 75.8 percent, were convicted. A further contrast is shown in that only 4.4 percent of those charged with "property" crimes as against 23.7 percent of those charged with crimes against the person were tried by juries. Robbery, which involves both "person" and "property" was the charge against 80 defendants, of whom 75 were convicted.

From table 3, which shows the types of sentence imposed on those convicted of major offenses, it may be seen that between 1935 and 1937 the percentage sentenced to prisons or jails decreased from 65.2 to 55.9, while the percentage placed on probation or under suspended sentences rose from 31.2 to 40.1 for the same years. The more detailed figures of table 4 show that widely different types of punishment were imposed for offenses of the same general class, but in the interpretation of these data it should be remembered that some classes include offenses of varying degrees of seriousness.

In Minnesota, the Bureau of Criminal Apprehension has cooperated in the collection of these statistics, and, since 1936, has used the more accurate method of individual case reporting.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,676	100.0	1,664	100.0	1,878	100.0
Death	-	-	-	-	-	-
Prison or reformatory	757	45.2	789	47.4	966	51.4
Probation or suspended sentence	672	40.1	573	34.4	585	31.2
Local jails	180	10.7	243	14.6	260	13.8
Fine or costs only	61	3.6	58	3.5	59	3.1
Juvenile institutions	6	0.4	1	0.1	6	0.3
Other sentences	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MINNESOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	2,029	-	770	810	244	199	6	-
Major offenses, total	1,676	-	757	672	180	61	6	-
Murder	14	-	14	-	-	-	-	-
Manslaughter	27	-	18	4	2	3	-	-
Robbery	75	-	60	14	1	-	-	-
Aggravated assault	63	-	22	26	5	10	-	-
Burglary	236	-	115	90	30	-	1	-
Larceny, except auto theft	560	-	236	236	66	19	3	-
Auto theft	160	-	58	87	6	7	2	-
Embezzlement and fraud	34	-	8	14	7	5	-	-
Stolen property	20	-	2	12	2	4	-	-
Forgery	259	-	85	134	34	6	-	-
Rape	75	-	47	21	7	-	-	-
Commercialized vice	4	-	3	-	-	1	-	-
Other sex offenses	94	-	61	21	9	3	-	-
Violating drug laws	4	-	2	-	2	-	-	-
Carrying weapon, etc.	8	-	-	3	3	2	-	-
Other major offenses	43	-	26	10	6	1	-	-
Abortion	3	-	1	2	-	-	-	-
Arson	22	-	16	6	-	-	-	-
Bigamy	6	-	6	-	-	-	-	-
Blackmail and extortion	3	-	1	-	2	-	-	-
Escape and jail break	5	-	1	-	3	1	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	4	-	1	2	1	-	-	-
Other offenses:								
Minor assault	28	-	-	16	10	2	-	-
Nonsupport or neglect	94	-	12	78	4	-	-	-
Violating liquor laws	52	-	-	5	7	40	-	-
Driving while intoxicated	64	-	-	16	22	26	-	-
Other motor vehicle laws	29	-	-	5	13	11	-	-
Disorderly conduct and vagrancy	2	-	-	-	2	-	-	-
Gambling	45	-	-	3	1	41	-	-
All other offenses	39	-	1	15	5	18	-	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1937

MONTANA

Page 1

In 1937, 77.1 percent of the defendants charged with major offenses in the District Courts of Montana were convicted, a notable increase from the 70.5 percent convicted in 1936, and the 71.0 percent convicted in 1935. Changes in the proportions of pleas of guilty and of dismissals were the chief factors in these year-to-year differences. The proportion of cases tried by juries increased from 11.0 percent in 1936 to 16.6 per-

cent in 1937, while the proportion of cases tried by the courts after waiver of jury decreased for these same years from 1.8 percent to 0.7 percent.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and, on the basis of the 1930 population, from courts covering 98.8 percent and 95.8 percent of the State, respectively, in 1936 and 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	586	100.0	563	100.0	596	100.0
Eliminated without conviction	134	22.9	166	29.5	173	29.0
Dismissed	100	17.1	131	23.3	125	21.0
Jury waived, acquitted by court ..	-	-	-	-	4	0.7
Acquitted by jury	28	4.8	22	3.9	31	5.2
Other no-penalty dispositions ..	6	1.0	13	2.3	13	2.2
Convicted	452	77.1	397	70.5	423	71.0
Plea of guilty	379	64.7	347	61.6	370	62.1
Court finds guilty	4	0.7	10	1.8	10	1.7
Jury verdict guilty	69	11.8	40	7.1	43	7.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	797	228	182	1	35	10	569	471	11	87
Major offenses, total ..	586	134	100	-	28	6	452	379	4	69
Murder	18	6	1	-	4	1	12	4	-	8
Manslaughter	15	8	4	-	3	1	7	3	-	4
Robbery	40	7	4	-	3	-	33	26	-	7
Aggravated assault	42	21	18	-	3	-	21	10	-	11
Burglary	139	20	18	-	2	-	119	104	3	12
Larceny, except auto theft ..	130	27	23	-	4	-	103	93	-	10
Auto theft	28	3	3	-	-	-	25	24	-	1
Embezzlement and fraud ...	13	5	2	-	2	1	8	6	-	2
Stolen property	11	1	-	-	1	-	10	9	-	1
Forgery	54	2	2	-	-	-	52	48	1	3
Rape	45	23	17	-	4	2	22	16	-	6
Commercialized vice	1	1	1	-	-	-	-	-	-	-
Other sex offenses	10	3	2	-	-	1	7	6	-	1
Violating drug laws	11	3	3	-	-	-	8	7	-	1
Carrying weapons, etc. ...	9	-	-	-	-	-	9	7	-	2
Other major offenses	20	4	2	-	2	-	16	16	-	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	7	1	1	-	-	-	6	6	-	-
Bigamy	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	8	-	-	-	-	-	8	8	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	3	3	1	-	2	-	-	-	-	-
Other offenses:										
Minor assault	18	9	9	-	-	-	9	4	2	3
Nonsupport or neglect	8	3	3	-	-	-	5	5	-	-
Violating liquor laws	31	16	15	-	1	-	15	14	-	1
Driving while intoxicated ..	11	3	3	-	-	-	8	2	-	6
Other motor vehicle laws ..	20	6	5	1	-	-	14	12	-	2
Disorderly conduct and vagrancy	2	2	2	-	-	-	-	-	-	-
Gambling	68	36	32	-	2	2	32	28	2	2
All other offenses	53	19	13	-	4	2	34	27	3	4

More detailed figures on the work of these courts in 1937, which are shown in table 2, reveal that 586, or 73.5 percent, of the defendants were charged with major offenses. Of these, 375, or 64.0 percent, were charged with crimes involving the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 120, or 20.5 percent, were charged with having done personal injury through murder, manslaughter, assault, or rape. Of those charged with major "property" crimes, 317, or 84.5 percent, were convicted, while of those charged with crimes against the person, 62, or 51.7 percent, were convicted. Robbery, which involves both "property" and "person", was the charge against 40 defendants, and of these, 33 were convicted. Of the defendants charged with "property" crimes, 38, or 10.1 percent, were tried by juries,

while of those charged with crimes against the person, 43, or 35.8 percent, were tried by juries.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in 1935, 1936, and 1937, reveals that in each of these years more than 70 percent of those convicted have been sentenced to prisons or reformatories, although the percentage placed on probation increased from 15.0 in 1936 to 19.9 in 1937.

Table 4 shows by offense the types of sentences imposed during 1937. Of the 62 persons sentenced for major crimes against the "person", 12, or 19.4 percent, were placed on probation or given suspended sentences, while of the 317 persons sentenced for major "property" crimes, 65, or 20.5 percent, received such sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	452	100.0	387	100.0	422	100.0
Death	-	-	-	-	2	0.5
Prison or reformatory	338	74.8	296	76.5	303	71.8
Probation or suspended sentence	90	19.9	58	15.0	79	18.7
Local jails	15	3.3	13	3.4	27	6.4
Fine or costs only	4	0.9	6	1.6	2	0.5
Juvenile institutions	5	1.1	14	3.6	9	2.1
Other sentences	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	569	-	346	101	39	74	9	-
Major offenses, total	452	-	338	90	15	4	5	-
Murder	12	-	12	-	-	-	-	-
Manslaughter	7	-	4	3	-	-	-	-
Robbery	33	-	25	8	-	-	-	-
Aggravated assault	21	-	18	3	-	-	-	-
Burglary	119	-	87	32	-	-	-	-
Larceny, except auto theft	103	-	81	16	4	2	-	-
Auto theft	25	-	16	6	1	-	2	-
Embezzlement and fraud	8	-	7	1	-	-	-	-
Stolen property	10	-	4	3	3	-	-	-
Forgery	52	-	45	7	-	-	-	-
Rape	22	-	13	6	-	-	3	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offensee	7	-	7	-	-	-	-	-
Violating drug laws	8	-	3	-	5	-	-	-
Carrying weapons, etc.	9	-	4	2	2	1	-	-
Other major offensee	16	-	12	3	-	1	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	6	-	3	2	-	1	-	-
Bigamy	2	-	2	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	8	-	7	1	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offensees:								
Minor assault	9	-	1	1	2	5	-	-
Nonsupport or neglect	5	-	2	3	-	-	-	-
Violating liquor laws	15	-	-	-	3	12	-	-
Driving while intoxicated	8	-	-	-	4	4	-	-
Other motor vehicle laws	14	-	1	2	7	4	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	32	-	-	-	3	29	-	-
All other offensees	34	-	4	5	5	16	4	-

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JUDICIAL CRIMINAL STATISTICS: 1937

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NEBRASKA

Reports from the District Courts of Nebraska for 1935, 1936, and 1937 show, for major criminal charges, a steady increase in the proportions of defendants who entered pleas of guilty. This change is reflected in the increase in the percentages of convictions on such charges from 81.4 in 1935 to 84.6 in 1937. It is evident that, with from 64.4 to 76.2 percent pleading guilty during these years, the proportions disposed of by trial

methods are relatively limited. Actually, 21.9 percent were tried in 1935, 14.5 percent in 1936, and 12.9 percent in 1937.

These figures are from reports to the Census Bureau from all courts in 1935, and, in 1936 and 1937, respectively, on the basis of the 1930 population, from courts covering 98.3 percent and 97.8 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,034	100.0	1,098	100.0	1,311	100.0
Eliminated without conviction	159	15.4	190	17.3	244	18.6
Dismissed	110	10.6	147	13.4	166	12.7
Jury waived, acquitted by court ..	8	0.8	8	0.7	7	0.5
Acquitted by jury	38	3.7	30	2.7	58	4.4
Other no-penalty dispositions ..	3	0.3	5	0.5	13	1.0
Convicted	875	84.6	908	82.7	1,067	81.4
Plea of guilty	788	76.2	787	71.7	844	64.4
Court finds guilty	40	3.9	61	5.6	150	11.4
Jury verdict guilty	47	4.5	60	5.5	73	5.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NEBRASKA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,275	259	185	8	44	22	1,016	895	64	57
Major offenses, total ..	1,034	159	110	8	38	3	875	788	40	47
Murder	7	-	-	-	-	-	7	4	1	2
Manslaughter	25	13	4	2	7	-	12	5	1	6
Robbery	46	7	4	-	3	-	39	35	2	2
Aggravated assault	34	12	7	-	5	-	22	19	-	3
Burglary	272	32	24	2	6	-	240	217	11	12
Larceny, except auto theft ..	180	26	20	1	4	1	154	141	6	7
Auto theft	74	7	5	-	2	-	67	65	2	-
Embezzlement and fraud ...	69	17	12	-	4	1	52	45	3	4
Stolen property	42	10	10	-	-	-	32	28	3	1
Forgery	151	8	4	1	2	1	143	133	8	2
Rape	21	5	3	-	2	-	16	15	-	1
Commercialized vice	3	-	-	-	-	-	3	3	-	-
Other sex offenses	36	9	7	1	1	-	27	24	2	1
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	18	4	4	-	-	-	14	13	1	-
Other major offenses	56	9	6	1	2	-	47	41	-	6
Abortion	4	-	-	-	-	-	4	3	-	1
Arson	29	6	3	1	2	-	23	22	-	1
Bigamy	2	-	-	-	-	-	2	1	-	1
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break ..	14	-	-	-	-	-	14	12	-	2
Kidnaping	1	-	-	-	-	-	1	1	-	-
Perjury	4	1	1	-	-	-	3	2	-	1
Other offenses:										
Minor assault	14	5	4	-	1	-	9	7	1	1
Nonsupport or neglect	54	38	21	-	-	17	16	14	2	-
Violating liquor laws	28	11	11	-	-	-	17	12	3	2
Driving while intoxicated ..	13	3	2	-	1	-	10	7	1	2
Other motor vehicle laws ..	15	3	2	-	1	-	12	9	2	1
Disorderly conduct and vagrancy	10	2	2	-	-	-	8	2	6	-
Gambling	11	5	3	-	2	-	6	6	-	-
All other offenses	96	33	30	-	1	2	63	50	9	4

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More detailed figures for 1937, shown in table 2, reveal that 1,034, or 81.1 percent, of the defendants in that year were charged with major crimes, while the remaining 241, or 18.9 percent, were charged with less serious offenses. Of those charged with major offenses, 788, or 76.2 percent, were charged with the taking of property through some form of burglary, larceny, fraud, forgery, or the receipt of stolen goods, while 87, or 8.4 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Convictions resulted in 688, or 87.3 percent, of the crimes against "property", and in 57, or 65.5 percent, of the crimes against the person. Robbery, involving both "person" and "property", was the charge against 46, or 4.4 percent, of the major offenders, and of these, 39, or 84.8 percent, were convicted.

The types of sentences imposed on defendants convicted of major offenses in 1935, 1936, and 1937, shown in table 3, varied only slightly from year to year, but there were increases in the proportions committed to prisons or reformatories and placed under suspended sentences or probation, and decreases in the proportions committed to local jails or required to pay fines or costs only. While the extent to which Nebraska courts fix punishments on the basis of the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender, is unknown, table 4 shows that a variety of sentences were imposed for offenses of the same general class in 1937. In interpreting these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	875	100.0	907	100.0	1,065	100.0
Death	-	-	-	-	-	-
Prison or reformatory	559	63.9	553	61.0	640	60.1
Probation or suspended sentence	198	22.6	189	20.8	207	19.4
Local jails	79	9.0	104	11.5	155	14.6
Fine or costs only	27	3.1	40	4.4	38	3.6
Juvenile institutions	12	1.4	21	2.3	17	1.6
Other sentences	-	-	-	-	8	0.8

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NEBRASKA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,016	-	577	241	115	70	13	-
Major offenses, total	875	-	559	198	79	27	12	-
Murder	7	-	7	-	-	-	-	-
Manslaughter	12	-	7	5	-	-	-	-
Robbery	39	-	32	6	-	-	1	-
Aggravated assault	22	-	18	4	-	-	-	-
Burglary	240	-	174	33	28	3	2	-
Larceny, except auto theft	154	-	82	42	26	2	2	-
Auto theft	67	-	51	10	1	2	3	-
Embezzlement and fraud	52	-	24	20	4	3	1	-
Stolen property	32	-	14	12	3	2	1	-
Forgery	143	-	87	46	-	8	2	-
Rape	16	-	14	1	1	-	-	-
Commercialized vice	3	-	2	-	1	-	-	-
Other sex offenses	27	-	6	7	12	2	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	14	-	4	5	1	4	-	-
Other major offenses	47	-	37	7	2	1	-	-
Abortion	4	-	1	1	2	-	-	-
Arson	23	-	18	5	-	-	-	-
Bigamy	2	-	1	1	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	14	-	14	-	-	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Perjury	3	-	2	-	-	1	-	-
Other offenses:								
Minor assault	9	-	1	-	4	4	-	-
Nonsupport or neglect	16	-	4	7	4	1	-	-
Violating liquor laws	17	-	-	2	4	11	-	-
Driving while intoxicated	10	-	-	4	3	3	-	-
Other motor vehicle laws	12	-	-	4	4	4	-	-
Disorderly conduct and vagrancy	8	-	1	7	-	-	-	-
Gambling	6	-	-	1	-	5	-	-
All other offenses	63	-	12	18	17	15	1	-

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JUDICIAL CRIMINAL STATISTICS: 1937

NEW HAMPSHIRE

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In 1937, the Superior Courts of New Hampshire disposed of the major criminal charges against 422 persons, and, of these, 357, or 84.6 percent, were convicted. Of the persons similarly charged in 1935 and 1936, respectively, 78.1 percent and 83.1 percent were convicted. From table 1, which shows these data, it may also be noted that there was a steady decrease in the proportions of cases dismissed, and an increase from the 1935 proportion

pleading guilty of 71.3 percent to 78.4 percent for 1937.

The more detailed figures on the work of these courts during 1937, which are presented in table 2, reveal that in addition to the 422 defendants charged with major offenses, 130 others, or 23.6 percent of the entire group, were charged with less serious forms of criminal behavior.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	422	100.0	414	100.0	397	100.0
Eliminated without conviction	65	15.4	70	16.9	87	21.9
Dismissed	49	11.6	54	13.0	75	18.9
Jury waived, acquitted by court ..	-	-	-	-	-	-
Acquitted by jury	6	1.4	9	2.2	4	1.0
Other no-penalty dispositions ..	10	2.4	7	1.7	8	2.0
Convicted	357	84.6	344	83.1	310	78.1
Plea of guilty	331	78.4	286	69.1	283	71.3
Court finds guilty	3	0.7	45	10.9	13	3.3
Jury verdict guilty	23	5.5	13	3.1	14	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	552	131	113	1	7	10	421	387	3	31
Major offensee, total ..	422	65	49	-	6	10	357	331	3	23
Murder	3	1	-	-	1	-	2	1	-	1
Manslaughter	9	3	1	-	-	2	6	5	-	1
Robbery	9	1	1	-	-	-	8	7	-	1
Aggravated assault	6	-	-	-	-	-	6	5	-	1
Burglary	91	14	11	-	2	1	77	73	-	4
Larceny, except auto theft ..	126	14	11	-	-	3	112	108	-	4
Auto theft	15	4	3	-	-	1	11	11	-	-
Embezzlement and fraud ...	38	11	9	-	-	2	27	23	2	2
Stolen property	1	-	-	-	-	-	1	1	-	-
Forgery	18	1	1	-	-	-	17	17	-	-
Rape	51	10	6	-	3	1	41	36	-	5
Commercialized vice	3	1	1	-	-	-	2	1	-	1
Other sex offenses	34	2	2	-	-	-	32	32	-	-
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	-	-	-	-	-	-	-	-	-	-
Other major offenses	18	3	3	-	-	-	15	11	1	3
Abortion	3	-	-	-	-	-	3	3	-	-
Arson	10	3	3	-	-	-	7	4	-	3
Bigamy	3	-	-	-	-	-	3	2	1	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	2	-	-	-	-	-	2	2	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault	10	3	2	-	1	-	7	6	-	1
Nonsupport or neglect	57	45	45	-	-	-	12	12	-	-
Violating liquor laws	3	2	2	-	-	-	1	1	-	-
Driving while intoxicated ..	5	1	1	-	-	-	4	4	-	-
Other motor vehicle laws ..	32	8	7	1	-	-	24	20	-	4
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-	-	-
Gambling	-	-	-	-	-	-	-	-	-	-
All other offensee	23	7	7	-	-	-	16	13	-	3

Of the major offense charges disposed of in 1937, 289, or 68.5 percent, involved the taking or conversion of property through some form of burglary, theft, forgery, or the receipt of stolen goods, while 69, or 16.4 percent, involved the doing of personal injury by murder, manslaughter, assault or rape. Of those charged with offenses against property, 245, or 84.8 percent, were convicted, and of those charged with offenses against the person, 55, or 79.7 percent, were convicted. Robbery, which involves both "person" and "property", was charged against 9 persons, of whom 8 were convicted.

Table 3, which presents the types of sentences imposed on those convicted of major offenses in each of the three years of 1935, 1936, and 1937, shows a slight but steady increase in the propor-

tion of prison sentences imposed, a marked decrease in the use of probation or suspended sentences, and that the only death penalty of the period was assessed in 1937. While the extent to which the courts of New Hampshire choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of statistics on the functioning of State criminal courts was begun by the Census Bureau in 1932, and is made possible by the voluntary cooperation of the clerks of court.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	357	100.0	344	100.0	310	100.0
Death	1	0.3	-	-	-	-
Prison or reformatory	113	31.7	106	30.8	92	29.7
Probation or suspended sentence	140	39.2	147	42.7	142	45.8
Local jails	83	23.2	81	23.5	62	20.0
Fine or costs only	15	4.2	8	2.3	11	3.5
Juvenile institutions	4	1.1	2	0.6	3	1.0
Other sentences	1	0.3	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	421	1	118	163	102	32	4	1
Major offenses, total	357	1	113	140	83	15	4	1
Murder	2	1	1	-	-	-	-	-
Manslaughter	6	-	3	2	1	-	-	-
Robbery	8	-	7	1	-	-	-	-
Aggravated assault	6	-	2	-	-	4	-	-
Burglary	77	-	24	50	-	1	1	1
Larceny, except auto theft	112	-	18	33	57	3	1	-
Auto theft	11	-	1	7	3	-	-	-
Embezzlement and fraud	27	-	11	14	2	-	-	-
Stolen property	1	-	1	-	-	-	-	-
Forgery	17	-	5	4	5	3	-	-
Rape	41	-	26	8	5	-	2	-
Commercialized vice	2	-	1	-	-	1	-	-
Other sex offenses	32	-	5	18	7	2	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	15	-	8	3	3	1	-	-
Abortion	3	-	-	1	2	-	-	-
Arson	7	-	6	1	-	-	-	-
Bigamy	3	-	-	1	1	1	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	2	-	2	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	7	-	-	1	6	-	-	-
Nonsupport or neglect	12	-	-	11	1	-	-	-
Violating liquor laws	1	-	-	-	-	1	-	-
Driving while intoxicated	4	-	-	-	-	4	-	-
Other motor vehicle laws	24	-	3	4	7	10	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	16	-	2	7	5	2	-	-

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NEW JERSEY

In 1937, 79.7 percent of the defendants charged with major offenses in the trial courts of New Jersey were convicted, a notable increase from the 75.1 percent convicted in 1936, and the 70.0 percent convicted in 1935. Changes in the proportion of pleas of guilty and in the proportion of dismissals and other no-penalty dispositions were the chief factors in these year-to-year differences, for the proportions tried by courts and juries re-

mained approximately the same in each of the three years.

These data, shown in table 1, are, like those following, from reports voluntarily furnished the Bureau of the Census by the clerks of the various courts and include all courts for 1935 and 1936, and for 1937, courts which, on the basis of the 1930 population, covered 90.8 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	5,260	100.0	5,836	100.0	6,590	100.0
Eliminated without conviction	1,068	20.3	1,455	24.9	1,976	30.0
Dismissed	584	11.1	844	14.5	1,040	15.8
Jury waived, acquitted by court ..	218	4.1	289	5.0	261	4.0
Acquitted by jury	229	4.4	272	4.7	266	4.0
Other no-penalty dispositions ..	37	0.7	50	0.9	409	6.2
Convicted	4,192	79.7	4,381	75.1	4,614	70.0
Plea of guilty	3,628	69.0	3,640	62.4	3,832	58.1
Court finds guilty	310	5.9	414	7.1	376	5.7
Jury verdict guilty	254	4.8	327	5.6	406	6.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	8,030	1,806	1,096	344	318	48	6,224	5,221	510	493
Major offenses, total ..	5,260	1,068	584	218	229	37	4,192	3,628	310	254
Murder	40	8	3	-	5	-	32	17	-	15
Manslaughter	142	71	37	9	23	2	71	54	3	14
Robbery	332	56	27	12	17	-	276	221	12	43
Aggravated assault	606	227	91	69	57	10	379	266	77	36
Burglary	1,088	86	61	9	15	1	1,002	941	42	19
Larceny, except auto theft ..	949	129	66	26	26	11	820	738	53	29
Auto theft	258	16	11	2	2	1	242	235	7	-
Embezzlement and fraud ...	375	129	92	20	14	3	246	220	16	10
Stolen property	168	57	23	20	11	3	111	96	10	5
Forgery	189	41	38	1	1	1	148	145	2	1
Rape	138	40	17	10	13	-	98	64	14	20
Commercialized vice	147	32	17	6	9	-	115	72	34	9
Other sex offenses	516	107	62	18	23	4	409	355	13	41
Violating drug laws	20	3	3	-	-	-	17	15	1	1
Carrying weapons, etc. ...	175	34	16	14	4	-	141	120	17	4
Other major offenses	117	32	20	2	9	1	85	69	9	7
Abortion	12	6	5	-	1	-	6	5	-	1
Arson	23	7	-	-	6	1	16	7	6	3
Bigamy	13	3	3	-	-	-	10	8	1	1
Blackmail and extortion ..	13	3	-	1	2	-	10	9	-	1
Escape and jail break ..	36	2	2	-	-	-	34	32	2	-
Kidnaping	4	3	3	-	-	-	1	1	-	-
Perjury	16	8	7	1	-	-	8	7	-	1
Other offensee:										
Minor assault	410	114	52	40	17	5	296	231	51	14
Nonsupport or neglect	549	183	159	17	5	2	366	316	44	6
Violating liquor laws	781	173	119	32	21	1	608	535	55	18
Driving while intoxicated ..	63	19	1	18	-	-	44	17	27	-
Other motor vehicle laws ..	21	7	1	6	-	-	14	7	7	-
Disorderly conduct and vagrancy	291	9	9	-	-	-	282	111	-	171
Gambling	173	39	24	8	7	-	134	125	2	7
All other offenses	482	194	147	5	39	3	288	251	14	23

More detailed figures, presented in table 2, show the type of disposition according to the offense charged for both major and minor crimes. Of those charged with major offenses, 3,027, or 57.5 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 926, or 17.6 percent, were charged with crimes involving injury to the person, that is, either murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 2,569, or 84.9 percent, were convicted, and of those charged with crimes against the person, 580, or 62.6 percent, were convicted. It is interesting to note that 133, or 4.4 percent, of those charged with major property crimes were tried by juries, while 183, or 19.8 percent, of those charged with crimes against the person were tried by juries.

The types of sentences imposed on those convicted of major crimes in 1935, 1936, and 1937 are shown in table 3, and from these it may be seen that while probation or suspended sentences were granted in fewer instances in 1937 than in either of the former years, a larger proportion of the defendants were sentenced to prisons or reformatories. From the more detailed figures for 1937, which are presented in table 4, it may be seen that, of those convicted of "property" crimes, 824, or 32.1 percent were sentenced to prisons or reformatories, and 1,100, or 42.8 percent, were placed on probation or granted suspended sentences, while of those convicted of crimes against the person, 183, or 31.6 percent, were sentenced to prisons or reformatories, and only 170, or 29.3 percent, were granted probation or suspended sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	4,192	100.0	4,352	100.0	4,534	100.0
Death	4	0.1	4	0.1	5	0.1
Prison or reformatory	1,425	34.0	1,524	35.0	1,447	31.9
Probation or suspended sentence	1,563	37.3	1,874	43.1	1,886	41.6
Local jails	920	21.9	767	17.6	903	19.9
Fine or costs only	190	4.5	126	2.9	225	5.0
Juvenile institutions	75	1.8	55	1.3	58	1.3
Other sentences	15	0.4	2	-	10	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	6,224	4	1,555	2,422	1,371	758	90	24
Major offenses, total	4,192	4	1,425	1,563	920	190	75	15
Murder	32	4	28	-	-	-	-	-
Manslaughter	71	-	27	13	25	5	-	1
Robbery	276	-	158	62	47	5	3	1
Aggravated assault	379	-	81	137	143	15	3	-
Burglary	1,002	-	423	380	156	15	26	2
Larceny, except auto theft	820	-	221	351	192	23	31	2
Auto theft	242	-	87	111	38	2	3	1
Embezzlement and fraud	246	-	40	133	56	17	-	-
Stolen property	111	-	19	55	19	18	-	-
Forgery	148	-	34	70	39	5	-	-
Rape	98	-	47	20	15	13	3	-
Commercialized vice	115	-	39	18	26	29	2	1
Other sex offenses	409	-	126	153	92	35	2	1
Violating drug laws	17	-	4	2	11	-	-	-
Carrying weapons, etc.	141	-	34	45	52	7	2	1
Other major offenses	85	-	57	13	9	1	-	5
Abortion	6	-	1	4	1	-	-	-
Arson	16	-	8	7	1	-	-	-
Bigamy	10	-	8	1	1	-	-	-
Blackmail and extortion	10	-	9	1	-	-	-	-
Escape and jail break	34	-	29	-	5	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Ferjury	8	-	1	-	1	1	-	5
Other offenses:								
Minor assault	296	-	37	140	75	42	1	1
Nonsupport or neglect	366	-	17	243	30	70	1	5
Violating liquor laws	608	-	29	221	168	184	4	2
Driving while intoxicated	44	-	-	-	9	35	-	-
Other motor vehicle laws	14	-	-	4	5	5	-	-
Disorderly conduct and vagrancy	282	-	3	61	82	136	-	-
Gambling	134	-	4	32	22	76	-	-
All other offenses	288	-	40	158	60	20	9	1

DEPARTMENT OF COMMERCE
Bureau of the Census
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JUDICIAL CRIMINAL STATISTICS: 1937

NEW MEXICO

Page 1

During 1937, 75.5 percent of the defendants charged with major criminal offenses in the District Courts of New Mexico were convicted, a remarkable increase from the 63.2 percent convicted in 1936, and the 59.4 percent convicted in 1935. A rise in the proportion of pleas of guilty, and a decrease in the number of cases dismissed were the chief factors in these year-to-year changes evident in the figures presented in table 1, below.

Table 1, like those following, is based upon reports from courts, which, on the basis of the 1930 population, covered 97.7 percent of the State in 1937, 92.1 percent in 1936, and 87.2 percent in 1935. The Attorney General and the Clerks of the Courts cooperated in providing these reports.

More detailed figures on the work of these courts during 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	838	100.0	867	100.0	944	100.0
Eliminated without conviction	205	24.5	319	36.8	383	40.6
Dismissed	143	17.1	266	30.7	302	32.0
Jury waived, acquitted by court ..	-	-	11	1.3	1	0.1
Acquitted by jury	57	6.8	36	4.2	54	5.7
Other no-penalty dispositions ..	5	0.6	6	0.7	26	2.8
Convicted	633	75.5	548	63.2	561	59.4
Plea of guilty	528	63.0	461	53.2	464	49.2
Court finds guilty	19	2.3	8	0.9	6	0.6
Jury verdict guilty	86	10.3	79	9.1	91	9.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NEW MEXICO,
BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitt- ed by court	Acquitt- ed by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,334	331	256	-	70	5	1,003	883	26	94
Major offenses, total ..	838	205	143	-	57	5	633	528	19	86
Murder	43	12	3	-	8	1	31	13	-	18
Manslaughter	16	6	3	-	3	-	10	9	-	1
Robbery	29	3	2	-	1	-	26	18	-	8
Aggravated assault	104	38	24	-	12	2	66	49	-	17
Burglary	65	8	7	-	1	-	57	48	2	7
Larceny, except auto theft ..	273	53	42	-	11	-	220	183	12	25
Auto theft	27	4	3	-	1	-	23	22	-	1
Embezzlement and fraud ...	81	21	14	-	7	-	60	59	-	1
Stolen property	33	13	7	-	4	2	20	18	-	2
Forgery	65	9	9	-	-	-	56	52	4	-
Rape	42	18	13	-	5	-	24	20	-	4
Commercialized vice	2	-	-	-	-	-	2	2	-	-
Other sex offenses	9	5	5	-	-	-	4	4	-	-
Violating drug laws	18	6	4	-	2	-	12	11	-	1
Carrying weapons, etc. ...	20	5	4	-	1	-	15	15	-	-
Other major offenses	11	4	3	-	1	-	7	5	1	1
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	2	2	1	-	1	-	-	-	-	-
Bigamy	4	1	1	-	-	-	3	2	1	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping	1	-	-	-	-	-	1	-	-	1
Perjury	3	1	1	-	-	-	2	2	-	-
Other offenses:										
Minor assault	51	17	16	-	1	-	34	31	1	2
Nonsupport or neglect	8	6	6	-	-	-	2	1	-	1
Violating liquor laws	32	11	8	-	3	-	21	20	1	-
Driving while intoxicated ..	174	30	27	-	3	-	144	142	1	1
Other motor vehicle laws ..	56	15	14	-	1	-	41	38	2	1
Disorderly conduct and vagrancy	9	4	4	-	-	-	5	5	-	-
Gambling	61	9	8	-	1	-	52	52	-	-
All other offenses	105	34	30	-	4	-	71	66	2	3

Of the major offenses charged in 1937, 544, or 64.9 percent, involved the taking of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 205, or 24.5 percent, involved the doing of personal injury by murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 436, or 80.1 percent, were convicted, and of those charged with crimes against the person, 131, or 63.9 percent, were convicted. Robbery, which involves both "property" and "person" was the charge against 29 defendants, of whom 26 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in 1937, 1936, and 1935, reveals that in 1937, a larger proportion of the convicted defendants were sentenced to prisons or reformatories, and a smaller

proportion were granted probation than in either of the two earlier years. However, these changes were offset to some degree by the decrease in commitments to local jails.

While the extent to which the Courts of New Mexico fix punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the defendant is unknown, table 4 shows a variety of sentences imposed in 1937 for offenses of the same general class. In the interpretation of these figures, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The Census Bureau has collected such statistics on State criminal courts since 1932.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	633	100.0	547	100.0	557	100.0
Death	3	0.5	1	0.2	-	-
Prison or reformatory	404	63.8	324	59.2	336	60.3
Probation or suspended sentence	154	24.3	150	27.4	140	25.1
Local jails	38	6.0	48	8.8	43	7.7
Fine or costs only	29	4.6	16	2.9	24	4.3
Juvenile institutions	5	0.8	4	0.7	14	2.5
Other sentences	-	-	4	0.7	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NEW MEXICO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,003	3	426	237	190	137	8	2
Major offenses, total	633	3	404	154	38	29	5	-
Murder	31	3	28	-	-	-	-	-
Manslaughter	10	-	8	2	-	-	-	-
Robbery	26	-	23	3	-	-	-	-
Aggravated assault	66	-	37	19	1	9	-	-
Burglary	57	-	49	8	-	-	-	-
Larceny, except auto theft	220	-	129	60	21	6	4	-
Auto theft	23	-	13	7	2	1	-	-
Embezzlement and fraud	60	-	36	17	4	3	-	-
Stolen property	20	-	8	6	2	4	-	-
Forgery	56	-	37	14	4	-	1	-
Rape	24	-	20	4	-	-	-	-
Commercialized vice	2	-	-	2	-	-	-	-
Other sex offenses	4	-	2	1	1	-	-	-
Violating drug laws	12	-	9	3	-	-	-	-
Carrying weapons, etc.	15	-	2	4	3	6	-	-
Other major offenses	7	-	3	4	-	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-
Bigamy	3	-	2	1	-	-	-	-
Bribe and extortion	1	-	-	-	-	-	-	-
Escape and jail break	1	-	-	1	-	-	-	-
Kidnaping	1	-	-	1	-	-	-	-
Perjury	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault	34	-	2	9	11	12	-	-
Nonsupport or neglect	2	-	2	-	-	-	-	-
Violating liquor laws	21	-	1	4	5	11	-	-
Driving while intoxicated	144	-	4	24	77	37	-	2
Other motor vehicle laws	41	-	3	2	21	15	-	-
Disorderly conduct and vagrancy	5	-	-	2	3	-	-	-
Gambling	52	-	-	22	12	18	-	-
All other offenses	71	-	10	20	23	15	3	-

JUDICIAL CRIMINAL STATISTICS: 1937

Page 1

NEW YORK

The trial courts of the State of New York disposed of the criminal charges against 11,695 defendants during the calendar year 1937 according to figures furnished the Bureau of the Census by the State Department of Correction. Of this number, 10,316 were charged with what the Census Bureau has defined as major offenses, while the remaining 1,379, constituting 11.8 percent of the dispositions, were charged with less serious criminal offenses.

The summary of the work of these courts in disposing of defendants charged with major offenses, presented in table 1 below, shows that 75.2 percent were convicted and 24.8 percent dismissed or acquitted. It may come as a surprise to the layman to discover that only 17 percent of the major charges were heard by juries, while 66.9 percent were disposed of by convictions on pleas of guilty.

A more detailed analysis of dispositions, shown in table 2, reveals that 6,047, or 58.6 percent, of the major offenders were defendants in charges involving the taking, receipt, or conversion of property through burglary, larceny, theft, forgery, or receiving stolen goods, while 1,828, or 17.7 percent, were charged with offenses involving

bodily harm through murder, manslaughter, aggravated assault or rape. Convictions were secured in 81.5 percent of the "property" crimes and in 65.5 percent of the crimes against "person". Robbery, the most common of the offenses which involve both "person" and "property", was the charge against 995, or 9.6 percent, of the major offenders, of whom 694, or 69.7 percent, were convicted.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES: 1937

Disposition	Number	Percent
Defendants disposed of	10,316	100.0
Eliminated without conviction ...	2,556	24.8
Dismissed	1,659	16.1
Jury waived, acquitted by court ..	-	-
Acquitted by jury	897	8.7
Other no-penalty dispositions ..	-	-
Convicted	7,760	75.2
Plea of guilty	6,904	66.9
Court finds guilty	-	-
Jury verdict guilty	856	8.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW YORK, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	11,695	2,761	1,823	-	938	-	8,934	7,968	-	966
Major offenses, total ..	10,316	2,556	1,659	-	897	-	7,760	6,904	-	856
Murder	141	64	38	-	26	-	77	42	-	35
Manslaughter	251	91	42	-	49	-	160	102	-	58
Robbery	995	301	159	-	142	-	694	556	-	138
Aggravated assault	998	336	158	-	178	-	662	553	-	109
Burglary	2,207	293	204	-	89	-	1,914	1,752	-	162
Larceny, except auto theft ..	2,601	473	350	-	123	-	2,128	1,996	-	132
Auto theft	544	88	58	-	30	-	456	439	-	17
Embezzlement and fraud ...	158	82	76	-	6	-	76	74	-	2
Stolen property	202	96	66	-	30	-	106	80	-	26
Forgery	335	84	68	-	16	-	251	236	-	15
Rape	438	139	76	-	63	-	299	256	-	43
Commercialized vice	32	14	11	-	3	-	18	13	-	5
Other sex offenses	351	109	60	-	49	-	242	205	-	37
Violating drug laws	35	1	1	-	-	-	34	31	-	3
Carrying weapons, etc. ...	437	93	75	-	18	-	344	314	-	30
Other major offenses	591	292	217	-	75	-	299	255	-	44
Abortion	(*)									
Arson	86	25	19	-	6	-	61	56	-	5
Bigamy	(*)									
Blackmail and extortion ..	(*)									
Escape and jail break ..	(*)									
Kidnaping	(*)									
Perjury	(*)									
Other offenses:										
Minor assault	484	1	1	-	-	-	483	421	-	62
Nonsupport or neglect	302	79	69	-	10	-	223	215	-	8
Violating liquor laws	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated ..	101	13	2	-	11	-	88	73	-	15
Other motor vehicle laws ..	8	-	-	-	-	-	8	8	-	-
Disorderly conduct and vagrancy	25	-	-	-	-	-	25	25	-	-
Gambling	20	-	-	-	-	-	20	19	-	1
All other offenses	439	112	92	-	20	-	327	303	-	24

*Not returned separately. Offense reported as "other felonies" included in other major offenses.

The most frequent type of punishment or correctional treatment of those convicted of major offenses is incarceration for, as is shown in table 3, 66.9 percent were committed to jails, prisons, or reformatories, while 31.8 percent were given probation or suspended sentences.

The types of sentences imposed for convictions in the same general class of offenses, shown in table 4, reveals the breadth of judicial discretion employed, but in the interpretation of this information it should be remembered that the various degrees and subdivisions of these offenses are not shown.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1937

Type of sentence	Number	Percent
Defendants sentenced	7,760	100.0
Death	18	0.2
Prison or reformatory	3,317	42.7
Probation or suspended sentence ..	2,465	31.8
Local jails	1,877	24.2
Fine or costs only	40	0.5
Juvenile institutions	-	-
Other sentences	43	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW YORK: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	8,934	18	3,391	3,037	2,361	80	-	47
Major offenses, total	7,760	18	3,317	2,465	1,877	40	-	43
Murder	77	18	58	-	-	-	-	1
Manslaughter	160	-	132	16	10	-	-	2
Robbery	694	-	615	30	43	-	-	6
Aggravated assault	662	-	378	117	158	9	-	-
Burglary	1,914	-	694	702	500	5	-	13
Larceny, except auto theft	2,128	-	541	829	741	7	-	10
Auto theft	456	-	135	226	93	-	-	2
Embezzlement and fraud	76	-	26	44	6	-	-	-
Stolen property	106	-	37	45	16	8	-	-
Forgery	251	-	101	106	44	-	-	-
Rape	299	-	168	90	38	1	-	2
Commercialized vice	18	-	9	5	4	-	-	-
Other sex offenses	242	-	142	59	38	2	-	1
Violating drug laws	34	-	6	3	25	-	-	-
Carrying weapons, etc.	344	-	147	78	114	4	-	1
Other major offenses	299	-	128	115	47	4	-	5
Abortion	(*)	-	-	-	-	-	-	-
Arson	61	-	27	32	1	-	-	1
Bigamy	(*)	-	-	-	-	-	-	-
Blackmail and extortion	(*)	-	-	-	-	-	-	-
Escape and jail break	(*)	-	-	-	-	-	-	-
Kidnaping	(*)	-	-	-	-	-	-	-
Perjury	(*)	-	-	-	-	-	-	-
Other offenses:								
Minor assault	483	-	-	202	277	1	-	3
Nonsupport or neglect	223	-	36	160	27	-	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	88	-	14	17	49	8	-	-
Other motor vehicle laws	8	-	1	3	4	-	-	-
Disorderly conduct and vagrancy	25	-	-	19	3	2	-	1
Gambling	20	-	-	3	8	9	-	-
All other offenses	327	-	25	168	116	20	-	-

The collection by the Bureau of the Census of statistics on the functioning of State courts of a general trial nature in criminal cases was begun in 1932 under the authority of an Act of Congress and is made possible by the voluntary cooperation of State reporting agencies. In New York, the cooperating agency is the State Department of Correction, and whatever differences may seem to exist between these tables and reports from that Department for the same period are due to the necessity of reducing figures obtained by them to the less detailed classifications reported by other States.

This collection of judicial criminal statistics, while not embracing all States nor always all areas within the States which do report, re-

veals wide variations in the jurisdiction of the various criminal courts, in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, and in the use of various types of correctional treatment. Many factors account for these variations, including differences in the laws governing each State, in the tradition and practice of each court, in the individuality of each judge and prosecutor, apparent in the use of discretionary prerogatives, and in community prejudices for or against the enforcement of certain laws. While such differences suggest the need for caution in comparisons between States, even more do they point out the need for developing greater uniformity through comparative studies of the relative merits of the different practices.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1937

NORTH DAKOTA

Page 1

The proportion of major criminal charges in the District Courts of North Dakota disposed of by pleas of guilty increased from 70.0 percent in 1935 to 73.9 percent in 1937. Most of the other charges were dismissed, and only a small proportion resulted in trials to determine guilt. Actually, courts and juries tried 8.6 percent of the defendants in 1937, 11.5 percent in 1936, and 8.1 percent in 1935.

Table 1, which shows these data, and tables following are from reports of all courts in 1935, and, on the basis of the 1930 population, from courts covering 77.4 percent of the State in 1936 and 98.6 percent in 1937.

More detailed figures on the work of these courts in 1937 are given in table 2, which shows dispositions for both major and minor offenses.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	536	100.0	330	100.0	504	100.0
Eliminated without conviction	109	20.3	59	17.9	116	23.0
Dismissed	92	17.2	47	14.2	100	19.8
Jury waived, acquitted by court	-	-	-	-	-	-
Acquitted by jury	15	2.8	5	1.5	6	1.2
Other no-penalty dispositions ..	2	0.4	7	2.1	10	2.0
Convicted	427	79.7	271	82.1	388	77.0
Plea of guilty	396	73.9	238	72.1	353	70.0
Court finds guilty	3	0.6	6	1.8	10	2.0
Jury verdict guilty	28	5.2	27	8.2	25	5.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NORTH DAKOTA,
BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitt- ed by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	995	228	198	3	24	3	767	702	14	51
Major offenses, total ..	536	109	92	-	15	2	427	396	3	28
Murder	3	-	-	-	-	-	3	1	-	2
Manslaughter	11	5	5	-	-	-	6	2	-	4
Robbery	11	3	3	-	-	-	8	6	-	2
Aggravated assault	17	4	3	-	1	-	13	11	1	1
Burglary	57	7	7	-	-	-	50	46	2	2
Larceny, except auto theft ..	166	21	17	-	4	-	145	143	-	2
Auto theft	36	4	4	-	-	-	32	31	-	1
Embezzlement and fraud ...	50	15	12	-	3	-	35	35	-	-
Stolen property	15	5	5	-	-	-	10	8	-	2
Forgery	55	8	8	-	-	-	47	44	-	3
Rape	35	14	8	-	4	2	21	18	-	3
Commercialized vice	22	4	4	-	-	-	18	17	-	1
Other sex offenses	35	11	9	-	2	-	24	21	-	3
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	5	-	-	-	-	-	5	5	-	-
Other major offenses	18	8	7	-	1	-	10	8	-	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	4	1	-	-	1	-	3	1	-	2
Bigamy	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	3	2	2	-	-	-	1	1	-	-
Escape and jail break ..	6	3	3	-	-	-	3	3	-	-
Kidnaping	1	1	1	-	-	-	-	-	-	-
Perjury	2	1	1	-	-	-	1	1	-	-
Other offenses:										
Minor assault	27	11	11	-	-	-	16	11	-	5
Nonsupport or neglect	42	10	10	-	-	-	32	27	2	3
Violating liquor laws	52	18	13	3	2	-	34	27	1	6
Driving while intoxicated ..	147	12	10	-	2	-	135	132	1	2
Other motor vehicle laws ..	54	9	8	-	1	-	45	42	1	2
Disorderly conduct and vagrancy	17	4	4	-	-	-	13	11	-	2
Gambling	11	8	8	-	-	-	3	3	-	-
All other offenses	109	47	42	-	4	1	62	53	6	3

In 1937, 536, or 53.9 percent, of the defendants were charged with major crimes, and of these, 379, or 70.7 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 66, or 12.3 percent, involved doing bodily injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 319, or 84.2 percent, were convicted, and of those charged with offenses against the person, 43, or 65.2 percent, were convicted. Robbery, which involves both "person" and "property", was charged against 11 defendants, of whom 8 were convicted.

Comparative data, presented in table 3, on the types of sentences imposed on those convicted of major offenses during 1935, 1936, and 1937 reveal that incarceration was, by far, the most frequent

type of punishment. The percentage sentenced to prisons, reformatories, and jails increased from 72.6 in 1935 to 78.9 in 1937, while the proportion granted suspended sentence or probation decreased from 15.5 percent in 1935 to 12.4 percent in 1937. While the extent to which the courts of North Dakota choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of judicial criminal statistics by the Census Bureau is made possible by the voluntary cooperation of the clerks of the courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	427	100.0	275	100.0	387	100.0
Death	-	-	-	-	-	-
Prison or reformatory	219	51.3	158	57.5	190	49.1
Probation or suspended sentence	53	12.4	32	11.6	60	15.5
Local jails	118	27.6	55	20.0	91	23.5
Fine or costs only	13	3.0	6	2.2	9	2.3
Juvenile institutions	24	5.6	24	8.7	28	7.2
Other sentences	-	-	-	-	9	2.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NORTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	767	-	242	120	290	80	32	3
Major offenses, total	427	-	219	53	118	13	24	-
Murder	3	-	3	-	-	-	-	-
Manslaughter	6	-	-	2	4	-	-	-
Robbery	8	-	6	-	-	-	2	-
Aggravated assault	13	-	7	2	2	2	-	-
Burglary	50	-	38	9	-	-	3	-
Larceny, except auto theft	145	-	58	14	55	6	12	-
Auto theft	32	-	26	2	3	-	1	-
Embezzlement and fraud	35	-	16	4	13	1	1	-
Stolen property	10	-	2	3	4	1	-	-
Forgery	47	-	24	12	7	2	2	-
Rape	21	-	19	-	-	1	1	-
Commercialized vice	18	-	1	1	16	-	-	-
Other sex offenses	24	-	9	4	9	-	2	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	5	-	4	-	1	-	-	-
Other major offenses	10	-	6	-	4	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	3	-	2	-	1	-	-	-
Bigamy	2	-	2	-	-	-	-	-
Blackmail and extortion	1	-	1	-	-	-	-	-
Escape and jail break	3	-	1	-	2	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	1	-	-	-	1	-	-	-
Other offenses:								
Minor assault	16	-	-	2	13	1	-	-
Nonsupport or neglect	32	-	17	13	2	-	-	-
Violating liquor laws	34	-	1	7	21	5	-	-
Driving while intoxicated	135	-	-	24	99	12	-	-
Other motor vehicle laws	45	-	-	3	16	26	-	-
Disorderly conduct and vagrancy	13	-	-	6	3	2	2	-
Gambling	3	-	-	-	1	2	-	-
All other offenses	62	-	5	12	17	19	6	3

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OHIO

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In 1937, 80.8 percent of the defendants charged with major offenses in the Common Pleas Courts of Ohio were convicted, a notable increase from the 73.6 percent convicted in 1936 and the 75.1 percent convicted in 1935. Changes in the proportions of pleas of guilty and of dismissals are the chief factors in these year-to-year differences. Each year between 9 and 10 percent of the defendants were tried by juries, while the proportion

tried by the court after waiver of jury increased from 6.3 percent in 1935 to 7.1 percent in 1937.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and, on the basis of the 1930 population, reports of courts with jurisdiction over 99.8 percent and 97.5 percent of the State, respectively, for 1936 and 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	6,010	100.0	5,732	100.0	6,591	100.0
Eliminated without conviction	1,153	19.2	1,515	26.4	1,643	24.9
Dismissed	796	13.2	1,171	20.4	1,239	18.8
Jury waived, acquitted by court	129	2.1	110	1.9	101	1.5
Acquitted by jury	158	2.6	139	2.4	192	2.9
Other no-penalty dispositions ..	70	1.2	95	1.7	111	1.7
Convicted	4,857	80.8	4,217	73.6	4,948	75.1
Plea of guilty	4,152	69.1	3,550	61.9	4,177	63.4
Court finds guilty	300	5.0	278	4.8	318	4.8
Jury verdict guilty	405	6.7	389	6.8	453	6.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE COMMON PLEAS COURTS OF OHIO,
BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	9,095	1,903	1,470	154	201	78	7,192	6,228	441	523
Major offenses, total ..	6,010	1,153	796	129	158	70	4,857	4,152	300	405
Murder	107	45	15	4	22	4	62	15	6	41
Manslaughter	233	54	26	7	20	1	179	115	25	39
Robbery	689	166	108	31	17	10	523	401	39	83
Aggravated assault	312	79	47	18	8	6	233	175	29	29
Burglary	1,415	177	137	13	16	11	1,238	1,113	54	71
Larceny, except auto theft ..	891	117	84	11	14	8	774	685	48	41
Auto theft	626	91	62	2	9	18	535	502	15	18
Embezzlement and fraud ...	344	121	106	7	8	-	223	202	10	11
Stolen property	147	25	15	8	2	-	122	104	7	11
Forgery	474	72	66	1	2	3	402	384	10	8
Rape	231	76	44	12	17	3	155	104	21	30
Commercialized vice	15	3	3	-	-	-	12	9	1	2
Other sex offenses	123	41	29	2	6	4	82	60	15	7
Violating drug laws	84	5	3	2	-	-	79	71	6	2
Carrying weapons, etc. ...	227	42	29	8	5	-	185	168	11	6
Other major offenses	92	39	22	3	12	2	53	44	3	6
Abortion	7	7	3	2	2	-	-	-	-	-
Arson	37	10	2	-	6	2	27	20	3	4
Bigamy	6	-	-	-	-	-	6	6	-	-
Blackmail and extortion ..	11	7	5	1	1	-	4	3	-	1
Escape and jail break ..	8	4	1	-	3	-	4	3	-	1
Kidnaping	11	6	6	-	-	-	5	5	-	-
Perjury	12	5	5	-	-	-	7	7	-	-
Other offenses:										
Minor assault	417	94	84	1	7	2	323	240	46	37
Nonsupport or neglect	582	220	200	7	9	4	362	322	23	17
Violating liquor laws	635	124	112	4	7	1	511	474	18	19
Driving while intoxicated ..	593	49	39	3	7	-	544	508	24	12
Other motor vehicle laws ..	260	75	65	4	5	1	185	171	11	3
Disorderly conduct and vagrancy	101	19	19	-	-	-	82	79	-	3
Gambling	100	25	23	1	1	-	75	71	3	1
All other offenses	397	144	132	5	7	-	253	211	16	26

More detailed figures on the work of these courts in 1937, shown in table 2, reveal that 6,010, or 66.1 percent, of the defendants were charged with major offenses, and that of these, 3,897, or 64.8 percent, were alleged to have committed crimes involving the taking of property through some form of larceny, theft, burglary, or the receipt of stolen goods, while 883, or 14.7 percent, were charged with offenses involving the doing of bodily harm through murder, manslaughter, assault, or rape. Of those charged with major "property" offenses, 3,294, or 84.5 percent, were convicted, and of those charged with major crimes against the person, 629, or 71.2 percent, were convicted. Robbery, involving both "person" and "property", was the charge against 689, or 11.5 percent, of those answering major charges, and 523, or 75.9 percent, of these were convicted.

A considerable increase between 1936 and 1937 in the granting of probation and a decrease in commitments to local jails are among the changes to be noted in table 3, which shows the type of sentences imposed on defendants convicted of major crimes in 1935, 1936, and 1937. While the extent to which Ohio courts fix punishment on the basis of the seriousness of the offense or choose the type of correctional treatment on the basis of its rehabilitative effect on the individual is unknown, table 4, showing types of sentences imposed by offense, does reveal the breadth of judicial discretion employed. In the interpretation of these data, it should be remembered that certain classes of offenses include crimes of widely varying seriousness, and that the laws of Ohio prohibit the granting of probation in convictions of certain specified offenses.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	4,857	100.0	4,040	100.0	4,847	100.0
Death	3	0.1	4	0.1	13	0.3
Prison or reformatory	2,279	46.9	1,893	46.9	2,292	47.3
Probation or suspended sentence	1,932	39.8	1,433	35.5	1,742	35.9
Local jails	427	8.8	512	12.7	568	11.7
Fine or costs only	212	4.4	182	4.5	217	4.5
Juvenile institutions	4	0.1	11	0.3	-	-
Other sentences	-	-	5	0.1	15	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE COMMON PLEAS COURTS OF OHIO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	7,192	3	2,354	2,488	939	1,403	5	-
Major offenses, total	4,857	3	2,279	1,932	427	212	4	-
Murder	62	3	59	-	-	-	-	-
Manslaughter	179	-	89	51	30	9	-	-
Robbery	523	-	408	115	-	-	-	-
Aggravated assault	233	-	120	113	-	-	-	-
Burglary	1,238	-	654	576	4	2	2	-
Larceny, except auto theft	774	-	209	295	204	65	1	-
Auto theft	535	-	260	275	-	-	-	-
Embezzlement and fraud	223	-	55	129	29	10	-	-
Stolen property	122	-	31	53	31	7	-	-
Forgery	402	-	197	177	4	23	1	-
Rape	155	-	91	28	32	4	-	-
Commercialized vice	12	-	4	1	2	5	-	-
Other sex offenses	82	-	44	16	10	12	-	-
Violating drug laws	79	-	17	22	9	31	-	-
Carrying weapons, etc.	185	-	18	56	70	41	-	-
Other major offenses	53	-	23	25	2	3	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	27	-	15	10	-	2	-	-
Bigamy	6	-	2	4	-	-	-	-
Blackmail and extortion	4	-	3	-	-	1	-	-
Escape and jail break	4	-	1	1	2	-	-	-
Kidnaping	5	-	1	4	-	-	-	-
Ferjury	7	-	1	6	-	-	-	-
Other offenses:								
Minor assault	323	-	-	55	180	88	-	-
Nonsupport or neglect	362	-	45	275	18	24	-	-
Violating liquor laws	511	-	3	78	92	338	-	-
Driving while intoxicated	544	-	1	78	145	320	-	-
Other motor vehicle laws	185	-	3	11	27	143	1	-
Disorderly conduct and vagrancy	82	-	-	11	16	55	-	-
Gambling	75	-	-	9	1	65	-	-
All other offenses	253	-	23	39	33	158	-	-

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OREGON

In 1937, 87.9 percent of the persons charged with major crimes in the Circuit Courts of Oregon were convicted, while in 1935 and 1936, respectively, 69.9 percent and 84.5 percent of persons similarly charged were convicted. Major factors in these year-to-year changes were the increase in the proportion pleading guilty from 63.8 percent in 1935 to 82.1 percent in 1937, and the decrease in the proportion dismissed from 23.7 percent in

1935 to 7.2 percent in 1937. These data are contained in table 1, while more detailed figures for 1937 are given in table 2.

Tables 1 and 2, like those following, are based on reports from all courts in 1936, and from courts, which, on the basis of the 1930 population, covered 64.5 percent of the State in 1935 and 54.9 percent in 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	832	100.0	1,045	100.0	784	100.0
Eliminated without conviction	101	12.1	162	15.5	236	30.1
Dismissed	60	7.2	123	11.8	186	23.7
Jury waived, acquitted by court	-	-	1	0.1	2	0.3
Acquitted by jury	35	4.2	34	3.3	34	4.3
Other no-penalty dispositions ..	6	0.7	4	0.4	14	1.8
Convicted	731	87.9	883	84.5	548	69.9
Plea of guilty	683	82.1	809	77.4	500	63.8
Court finds guilty	5	0.6	3	0.3	5	0.6
Jury verdict guilty	43	5.2	71	6.8	43	5.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,050	143	92	-	44	7	907	828	9	70
Major offenses, total ..	832	101	60	-	35	6	731	683	5	43
Murder	7	3	1	-	2	-	4	1	-	3
Manslaughter	15	8	-	-	8	-	7	2	-	5
Robbery	27	6	2	-	3	1	21	18	1	2
Aggravated assault	37	2	1	-	1	-	35	29	-	6
Burglary	110	5	3	-	1	1	105	99	1	5
Larceny, except auto theft ..	259	41	27	-	13	1	218	209	1	8
Auto theft	42	3	3	-	-	-	39	37	-	2
Embezzlement and fraud ...	95	11	7	-	2	2	84	83	-	1
Stolen property	19	3	2	-	1	-	16	16	-	-
Forgery	111	5	5	-	-	-	106	103	-	3
Rape	24	5	1	-	4	-	19	12	-	7
Commercialized vice	1	-	-	-	-	-	1	1	-	-
Other sex offenses	51	6	5	-	-	1	45	42	2	1
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	7	-	-	-	-	-	7	7	-	-
Other major offenses	27	3	3	-	-	-	24	24	-	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	15	2	2	-	-	-	13	13	-	-
Bigamy	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion ..	5	1	1	-	-	-	4	4	-	-
Escape and jail break ..	6	-	-	-	-	-	6	6	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offensees:										
Minor assault	26	2	1	-	1	-	24	21	-	3
Non-support or neglect	36	4	4	-	-	-	32	31	1	-
Violating liquor laws	10	2	1	-	1	-	8	7	-	1
Driving while intoxicated ..	23	5	2	-	3	-	18	14	1	3
Other motor vehicle laws ..	17	2	1	-	1	-	15	12	1	2
Disorderly conduct and vagrancy	5	-	-	-	-	-	5	5	-	-
Gambling	9	3	3	-	-	-	6	4	-	2
All other offenses	92	24	20	-	3	1	68	51	1	16

(OVER)

Of the major charges disposed of during 1937, 636, or 76.4 percent, involved the taking or conversion of property through some form of burglary, larceny, forgery, or the receipt of stolen goods, while 83, or 10.0 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 568, or 89.3 percent, were convicted, and of those charged with offenses against the person, 65, or 78.3 percent, were convicted. Robbery, which involves both "property" and "person" was the charge against 27 defendants and of these 21 were convicted.

Table 3, which shows the type of sentences imposed on those convicted of major crimes during 1937, 1936, and 1935, reveals a steady decrease in the proportion committed to prisons and reform-

atories, and a steady increase in the use of probation or suspended sentences. While the extent to which the Oregon courts choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenders of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenders of very different degrees of seriousness.

The Census Bureau's collection of statistics on the functioning of State criminal courts has indicated wide variations exist in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in granting probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	731	100.0	882	100.0	548	100.0
Death	-	-	-	-	-	-
Prison or reformatory	348	47.6	492	55.8	309	56.4
Probation or suspended sentence	283	38.7	266	30.2	142	25.9
Local jails	85	11.6	110	12.5	74	13.5
Fine or costs only	13	1.8	8	0.9	15	2.7
Juvenile institutions	2	0.3	5	0.6	1	0.2
Other sentences	-	-	1	0.1	7	1.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prison and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offenses	907	-	367	348	145	43	4	-
Major offenses, total	731	-	348	283	85	13	2	-
Murder	4	-	4	-	-	-	-	-
Manslaughter	7	-	4	3	-	-	-	-
Robbery	21	-	14	7	-	-	-	-
Aggravated assault	35	-	15	10	8	1	1	-
Burglary	105	-	65	39	1	-	-	-
Larceny, except auto theft	218	-	84	88	37	9	-	-
Auto theft	39	-	18	13	5	2	1	-
Embezzlement and fraud	84	-	29	44	11	-	-	-
Stolen property	16	-	5	8	6	-	-	-
Forgery	106	-	53	47	6	-	-	-
Rape	19	-	16	3	-	-	-	-
Commercialized vice	1	-	-	-	-	1	-	-
Other sex offenses	45	-	23	16	6	-	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	7	-	5	1	1	-	-	-
Other major offenses	24	-	13	7	4	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	13	-	8	5	-	-	-	-
Bigamy	1	-	1	-	-	-	-	-
Blackmail and extortion	4	-	3	-	1	-	-	-
Escape and jail break	6	-	1	2	3	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	24	-	1	10	10	3	-	-
Nonsupport or neglect	32	-	4	26	2	-	-	-
Violating liquor laws	8	-	-	2	3	1	2	-
Driving while intoxicated	18	-	-	4	13	1	-	-
Other motor vehicle laws	15	-	-	4	8	3	-	-
Disorderly conduct and vagrancy	5	-	-	2	3	-	-	-
Gambling	6	-	-	-	-	6	-	-
All other offenses	68	-	14	17	21	16	-	-

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PENNSYLVANIA

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In 1937, 70.4 percent of those answering major criminal charges in the general trial courts of Pennsylvania were convicted, according to a report to the Bureau of the Census by the State Department of Welfare. This was a slight increase from the 69.5 percent reported convicted in 1936, and the 67.6 percent reported for 1935. These data are shown in table 1, from which it may also be noted that while more than 40 percent of the cases

were disposed of by juries each year, court trials did not exceed 3 percent of any year's dispositions.

More detailed figures on the work of these courts during 1937, which are given in table 2, show that 22,603, or 48.7 percent of the defendants were charged with what the Bureau of the Census has classified as major crimes.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	22,603	100.0	22,067	100.0	23,019	100.0
Eliminated without conviction	6,699	29.6	6,727	30.5	7,465	32.4
Dismissed	2,684	11.9	2,674	12.1	2,848	12.4
Jury waived, acquitted by court ..	145	0.6	122	0.6	123	0.5
Acquitted by jury	3,602	15.9	3,769	17.1	4,251	18.5
Other no-penalty dispositions ..	268	1.2	162	0.7	243	1.1
Convicted	15,904	70.4	15,340	69.5	15,554	67.6
Plea of guilty	9,799	43.4	9,048	41.0	9,429	41.0
Court finds guilty	457	2.0	498	2.3	375	1.6
Jury verdict guilty	5,648	25.0	5,794	26.3	5,750	25.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	46,387	14,861	6,536	662	7,050	613	31,526	18,608	3,522	9,396
Major offenses, total ..	22,603	6,699	2,684	145	3,602	268	15,904	9,799	457	5,648
Murder	213	82	13	-	59	10	131	43	2	86
Manslaughter	489	312	95	16	191	10	177	76	8	93
Robbery	1,695	296	39	5	232	20	1,399	698	19	682
Aggravated assault	3,015	1,456	692	18	725	21	1,559	724	32	803
Burglary	2,936	416	177	7	209	23	2,520	1,930	31	559
Larceny, except auto theft ..	5,739	1,281	493	32	702	54	4,458	2,941	137	1,380
Auto theft	915	208	55	-	144	9	707	493	14	200
Embezzlement and fraud ...	1,795	804	485	22	262	35	991	612	40	339
Stolen property	502	172	55	14	101	2	330	215	44	71
Forgery	634	134	76	4	46	8	500	431	15	54
Rape	697	276	80	4	186	6	421	181	15	225
Commercialized vice	629	278	27	10	234	7	351	162	8	181
Other sex offenses	2,070	646	321	9	257	59	1,424	878	81	465
Violating drug laws	239	55	5	-	50	-	184	59	-	125
Carrying weapons, etc. ...	1,035	283	71	4	204	4	752	356	11	385
Other major offenses	(*)									
Abortion	(*)									
Arson	(*)									
Bigamy	(*)									
Blackmail and extortion ..	(*)									
Escape and jail break ..	(*)									
Kidnaping	(*)									
Perjury	(*)									
Other offenses:										
Minor assault	3,102	1,525	816	29	644	36	1,577	826	55	696
Nonsupport or neglect	3,999	751	578	50	17	106	3,248	1,127	2,086	35
Violating liquor laws	3,284	1,113	461	39	567	46	2,171	1,457	66	648
Driving while intoxicated ..	5,558	1,420	254	35	1,108	23	4,138	2,707	74	1,357
Other motor vehicle laws ..	2,244	940	439	237	231	33	1,304	804	341	159
Disorderly conduct and vagrancy	241	113	83	15	7	8	128	73	50	5
Gambling	1,522	524	111	16	393	4	998	662	7	329
All other offenses	3,834	1,776	1,110	96	481	89	2,058	1,153	386	519

*Not returned separately. Included in "All other offenses."

(OVER)

Of the major offense charges in 1937, 12,521, or 55.4 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 4,414, or 19.5 percent, involved doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 9,506, or 75.9 percent, were convicted, and of those charged with crimes against the person, 2,288, or 51.8 percent, were convicted. Robbery, which involves both "person" and "property" was charged against 1,695 persons, of whom, 1,399, or 82.5 percent, were convicted.

As is shown in table 3, the courts made use of the various methods of punishment and correctional treatment in approximately the same proportions during each of the three years. Table 4 shows,

however, that in 1937 different types of sentences were imposed for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection of judicial criminal statistics, which was begun by the Census Bureau in 1932, is made possible by the cooperation of State reporting agencies and courts, and has revealed many variations in the definitions and classifications of criminal behavior, in the use of pretrial dispositions, and in the use of different types of sentences. Such variations suggest, in addition to the need for caution in the interpretation of data, the need for comparative studies to determine the relative merits of different practices.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	15,904	100.0	15,340	100.0	15,554	100.0
Death	7	(*)	16	0.1	6	(*)
Prison or reformatory	2,292	14.4	1,897	12.4	1,925	12.4
Probation or suspended sentence	4,701	29.6	4,362	28.4	4,513	29.0
Local jails	7,131	44.8	6,926	45.1	6,983	44.9
Fine or costs only	1,637	10.3	1,918	12.5	1,857	11.9
Juvenile institutions	94	0.6	201	1.3	90	0.6
Other sentences	42	0.3	20	0.1	180	1.2

*Percent not shown where less than 0.1.

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	31,526	7	2,470	8,951	11,861	7,917	239	81
Major offenses, total	15,904	7	2,292	4,701	7,131	1,637	94	42
Murder	131	7	104	6	13	-	-	1
Manslaughter	177	-	37	42	81	17	-	-
Robbery	1,399	-	381	232	776	8	2	-
Aggravated assault	1,559	-	60	535	818	142	2	2
Burglary	2,520	-	674	761	962	77	38	8
Larceny, except auto theft	4,458	-	538	1,602	1,968	313	33	4
Auto theft	707	-	138	216	301	38	13	1
Embezzlement and fraud	991	-	39	321	478	151	-	2
Stolen property	330	-	30	105	151	40	1	3
Forgery	500	-	53	162	202	81	1	1
Rape	421	-	92	36	226	66	-	1
Commercialized vice	351	-	25	104	155	65	-	2
Other sex offenses	1,424	-	95	331	422	556	3	17
Violating drug laws	184	-	1	26	148	9	-	-
Carrying weapons, etc.	752	-	25	222	430	74	1	-
Other major offenses	(*)							
Abortion	(*)							
Arson	(*)							
Bigamy	(*)							
Blackmail and extortion	(*)							
Escape and jail break	(*)							
Kidnaping	(*)							
Perjury	(*)							
Other offenses:								
Minor assault	1,577	-	52	569	688	259	6	3
Nonsupport or neglect	3,248	-	3	500	14	2,731	-	-
Violating liquor laws	2,171	-	8	676	716	771	-	-
Driving while intoxicated	4,138	-	5	1,184	2,149	796	2	2
Other motor vehicle laws	1,304	-	19	317	370	593	1	2
Disorderly conduct and vagrancy	128	-	2	38	43	38	7	-
Gambling	998	-	-	304	281	408	4	1
All other offenses	2,058	-	89	662	469	682	125	31

*Not returned separately. Included in "All other offenses."

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JUDICIAL CRIMINAL STATISTICS: 1937

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RHODE ISLAND

The exceptionally high proportion of convictions resulting from the disposition of major criminal offense charges against defendants in the superior courts of Rhode Island for 1935 increased in 1936 and in 1937 reached the still higher proportion of 98.6 percent, according to reports made to the Bureau of the Census. Factors in this change were the decrease in the percentage of dismissals and the increase in the percentage of

pleas of guilty (including pleas of nolo contendere).

Table 1, presenting comparative data for 1935, 1936, and 1937, also includes figures showing that in each year less than 2 percent of the defendants availed themselves of the right to trial by jury. The work of the superior courts for 1937 is shown in more detail in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of ...	568	100.0	560	100.0	676	100.0
Eliminated without conviction	8	1.4	22	3.9	37	5.5
Dismissed	4	0.7	17	3.0	29	4.3
Jury waived, acquitted by court	-	-	-	-	6	0.9
Acquitted by jury	4	0.7	2	0.4	2	0.3
Other no-penalty disposition	-	-	3	0.5	-	-
Convicted	560	98.6	538	96.1	639	94.5
Plea of guilty	557	98.1	534	95.4	627	92.8
Court finds guilty	-	-	-	-	1	0.1
Jury verdict guilty	3	0.5	4	0.7	11	1.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	854	46	37	-	9	-	808	799	-	9
Major offenses, total ..	568	8	4	-	4	-	560	557	-	3
Murder	2	-	-	-	-	-	2	2	-	-
Manslaughter	5	-	-	-	-	-	5	5	-	-
Robbery	9	1	-	-	1	-	8	8	-	-
Aggravated assault	29	-	-	-	-	-	29	28	-	1
Burglary	254	-	-	-	-	-	254	253	-	1
Larceny, except auto theft	25	2	1	-	1	-	23	23	-	-
Auto theft	117	-	-	-	-	-	117	117	-	-
Embezzlement and fraud ...	26	-	-	-	-	-	26	26	-	-
Stolen property	1	-	-	-	-	-	1	1	-	-
Forgery	13	1	-	-	1	-	12	12	-	-
Rape	28	1	1	-	-	-	27	27	-	-
Commercialized vice	13	2	1	-	1	-	11	11	-	-
Other sex offenses	19	1	1	-	-	-	18	18	-	-
Violating drug laws	4	-	-	-	-	-	4	3	-	1
Carrying weapons, etc. ...	18	-	-	-	-	-	18	18	-	-
Other major offenses	5	-	-	-	-	-	5	5	-	-
Abortion	2	-	-	-	-	-	2	2	-	-
Arson	-	-	-	-	-	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	-	-	-	-	-	2	2	-	-
Other offenses:										
Minor assault	20	5	5	-	-	-	15	15	-	-
Nonsupport or neglect	6	4	4	-	-	-	2	2	-	-
Violating liquor laws	3	-	-	-	-	-	3	3	-	-
Driving while intoxicated	79	7	5	-	2	-	72	71	-	1
Other motor vehicle laws .	77	12	10	-	2	-	65	65	-	-
Disorderly conduct and vagrancy	25	4	4	-	-	-	21	21	-	-
Gambling	13	2	2	-	-	-	11	11	-	-
All other offenses	63	4	3	-	1	-	59	54	-	5

Of the defendants charged with major offenses, 436, or 76.8 percent, were charged with the taking, receipt, or conversion of property through theft, burglary, larceny, fraud, forgery, or the receipt of stolen goods; and of these, 433, or 99.3 percent, were convicted. Doing bodily harm through assault, murder, manslaughter, or rape was the charge against 64, or 11.3 percent, of the major offenders, and 63 convictions were returned in the disposition of these charges. Eight of the 9 defendants charged with robbery, usually considered the most serious of the crimes involving both "person" and "property," were convicted.

By far the most frequent type of punishment or correctional treatment imposed, as shown in table 3, was suspended sentence or probation. The steady increase in prison or reformatory commit-

ments was counterbalanced by a decrease in jail sentences.

Types of sentence are shown, by offense, in table 4, revealing the breadth of judicial discretion employed. In the interpretation of these data it should be remembered, however, that the degrees or subdivisions of these offenses are not shown.

The collection of statistics on the functioning of State courts in criminal proceedings was begun by the Census Bureau in 1932 under the authority of an Act of Congress and is made possible by the voluntary cooperation of State reporting agencies. In Rhode Island the cooperating agency is the Division of Probation and Criminal Statistics of the Department of Public Welfare.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	560	100.0	538	100.0	639	100.0
Death	-	-	-	-	-	-
Prison or reformatory	146	26.1	116	21.6	120	18.8
Probation or suspended sentences	346	61.8	354	65.8	396	62.0
Local jails	59	10.5	63	11.7	104	16.3
Fine or costs only	3	0.5	5	0.9	14	2.2
Juvenile institutions	6	1.1	-	-	5	0.8
Other sentences	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	808	-	154	403	88	157	6	-
Major offenses, total	560	-	146	346	59	3	6	-
Murder	2	-	2	-	-	-	-	-
Manslaughter	5	-	3	2	-	-	-	-
Robbery	8	-	3	5	-	-	-	-
Aggravated assault	29	-	7	15	7	-	-	-
Burglary	254	-	65	161	23	-	5	-
Larceny, except auto theft	23	-	1	14	7	1	-	-
Auto theft	117	-	28	81	7	-	1	-
Embezzlement and fraud	26	-	4	15	6	1	-	-
Stolen property	1	-	-	-	-	1	-	-
Forgery	12	-	3	6	3	-	-	-
Rape	27	-	12	15	-	-	-	-
Commercialized vice	11	-	4	6	1	-	-	-
Other sex offenses	18	-	7	10	1	-	-	-
Violating drug laws	4	-	-	4	-	-	-	-
Carrying weapons, etc.	18	-	5	9	4	-	-	-
Other major offenses	5	-	2	3	-	-	-	-
Abortion	2	-	1	1	-	-	-	-
Arson	-	-	-	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	1	-	-	1	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault	15	-	-	7	2	6	-	-
Non-support or neglect	2	-	-	1	1	-	-	-
Violating liquor laws	3	-	-	-	-	3	-	-
Driving while intoxicated	72	-	-	-	15	57	-	-
Other motor vehicle laws	65	-	-	6	6	53	-	-
Disorderly conduct and vagrancy	21	-	2	13	2	4	-	-
Gambling	11	-	-	5	-	6	-	-
All other offenses	59	-	6	25	3	25	-	-

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SOUTH DAKOTA

Reports from the Circuit Courts of South Dakota to the Bureau of the Census show that in each of the past three years more than four-fifths of the defendants charged with major crimes were convicted. However, the proportion reported convicted in 1937 (83.8 percent) was below that reported for 1936 (86.1 percent), and that reported for 1935 (88.7 percent). Of course, any changes in reporting accuracy would affect these figures.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and for 1936 and 1937, respectively, from courts which, on the basis of the 1930 population, covered 97.3 and 99.6 percent of the State.

More detailed figures for 1937, which show the type of disposition by the offense, are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	526	100.0	512	100.0	567	100.0
Eliminated without conviction	85	16.2	71	13.9	64	11.3
Dismissed	70	13.3	48	9.4	31	5.5
Jury waived, acquitted by court ..	1	0.2	-	-	-	-
Acquitted by jury	13	2.5	18	3.5	29	5.1
Other no-penalty dispositions ..	1	0.2	5	1.0	4	0.7
Convicted	441	83.8	441	86.1	503	88.7
Plea of guilty	406	77.2	419	81.8	461	81.3
Court finds guilty	9	1.7	2	0.4	6	1.1
Jury verdict guilty	26	4.9	20	3.9	36	6.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF SOUTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	948	152	127	2	21	2	796	734	32	30
Major offenses, total ..	526	85	70	1	13	1	441	406	9	26
Murder	3	-	-	-	-	-	3	2	-	1
Manslaughter	6	1	1	-	-	-	5	3	-	2
Robbery	12	1	-	-	1	-	11	11	-	-
Aggravated assault	15	5	4	-	1	-	10	8	-	2
Burglary	89	18	18	-	-	-	71	68	1	2
Larceny, except auto theft ..	169	23	15	1	7	-	146	135	5	6
Auto theft	18	1	1	-	-	-	17	17	-	-
Embezzlement and fraud ...	38	10	7	-	3	-	28	27	-	1
Stolen property	12	1	1	-	-	-	11	9	-	2
Forgery	67	2	2	-	-	-	65	65	-	-
Rape	24	10	9	-	-	1	14	9	1	4
Commercialized vice	2	-	-	-	-	-	2	2	-	-
Other sex offenses	27	2	2	-	-	-	25	22	2	1
Violating drug laws	7	-	-	-	-	-	7	7	-	-
Carrying weapons, etc. ...	9	3	3	-	-	-	6	5	-	1
Other major offenses	28	8	7	-	1	-	20	16	-	4
Abortion	2	1	1	-	-	-	1	1	-	-
Arson	1	1	-	-	1	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	4	-	-	-	-	-	4	-	-	4
Escape and jail break ...	17	3	3	-	-	-	14	14	-	-
Kidnaping	1	-	-	-	-	-	1	1	-	-
Perjury	3	3	3	-	-	-	-	-	-	-
Other offenses:										
Minor assault	12	7	5	-	1	1	5	5	-	-
Nonsupport or neglect	39	9	9	-	-	-	30	25	4	1
Violating liquor laws	49	16	14	-	2	-	33	33	-	-
Driving while intoxicated ..	163	7	4	-	3	-	156	151	2	3
Other motor vehicle laws ..	39	3	2	1	-	-	36	36	-	-
Disorderly conduct and vagrancy	36	4	4	-	-	-	32	28	4	-
Gambling	5	1	1	-	-	-	4	2	2	-
All other offenses	79	20	18	-	2	-	59	48	11	-

(OVER)

Of the defendants disposed of during 1937, 526, or 55.5 percent, were charged with what the Bureau of the Census defines as major offenses, and of these, 48, or 9.1 percent, were charged with murder, manslaughter, aggravated assault, or rape (offenses which involve injury to a person), while 393, or 74.7 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Of those charged with offenses against the person, 32, or 66.7 percent, were convicted, while 338, or 86.0 percent, of those charged with "property" crimes were convicted.

The comparative data, given in table 3, on the types of sentences imposed on those convicted of major offenses in each of the three years reveals that the decrease in the proportion sentenced to

prisons and reformatories is matched by a corresponding increase in the proportion sentenced to local jails. Combining these two types of sentences reveals that an almost constant percentage (74.9 for 1935, 76.5 for 1936, and 76.2 for 1937) of those convicted have been incarcerated.

While the extent to which the Courts of South Dakota impose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows that, with the exception of murder, manslaughter, and robbery, a variety of sentences were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	441	100.0	441	100.0	503	100.0
Death	-	-	-	-	-	-
Prison or reformatory	257	58.3	271	61.5	314	62.4
Probation or suspended sentence	82	18.6	95	21.5	92	18.3
Local jails	79	17.9	66	15.0	63	12.5
Fine or costs only	16	3.6	7	1.6	23	4.6
Juvenile institutions	7	1.6	2	0.5	10	2.0
Other sentences	-	-	-	-	1	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF SOUTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	796	-	272	183	229	98	13	1
Major offenses, total	441	-	257	82	79	16	7	-
Murder	3	-	3	-	-	-	-	-
Manslaughter	5	-	5	-	-	-	-	-
Robbery	11	-	11	-	-	-	-	-
Aggravated assault	10	-	4	2	4	-	-	-
Burglary	71	-	48	18	4	-	1	-
Larceny, except auto theft	146	-	75	32	30	4	5	-
Auto theft	17	-	9	4	2	1	1	-
Embezzlement and fraud	28	-	12	11	3	2	-	-
Stolen property	11	-	9	-	2	-	-	-
Forgery	65	-	40	7	17	1	-	-
Rape	14	-	12	1	1	-	-	-
Commercialized vice	2	-	1	-	1	-	-	-
Sex offenses	25	-	15	6	2	2	-	-
Violating drug laws	7	-	-	-	7	-	-	-
Carrying weapons, etc.	6	-	3	1	-	2	-	-
Other major offenses	20	-	10	-	6	4	-	-
Abortion	1	-	-	-	1	-	-	-
Arson	-	-	-	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	4	-	-	-	-	4	-	-
Escape and jail break	14	-	9	-	5	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	5	-	-	1	3	1	-	-
Nonsupport or neglect	30	-	10	13	6	1	-	-
Violating liquor laws	33	-	-	6	13	14	-	-
Driving while intoxicated	156	-	-	32	91	32	-	1
Other motor vehicle laws	36	-	1	19	3	13	-	-
Disorderly conduct and vagrancy	32	-	-	5	15	9	3	-
Gambling	4	-	-	2	-	2	-	-
All other offenses	59	-	4	23	19	10	3	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

LEASED for use of morning
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JUDICIAL CRIMINAL STATISTICS: 1937

UTAH

Page 1

Reports of the District Courts of Utah reveal that while the percentage of convictions resulting from charges of major crimes decreased from 71.1 in 1935 to 67.4 in 1936, it rose to 78.5 in 1937. Although changes in the proportions of pleas of guilty and of dismissals were the chief factors in these year-to-year differences, a steady decrease in the use of trial by jury is to be noted. The trial of felony charges by the court after waiver

of jury, which was legalized in 1935, was used in only a limited number of cases.

Table 1, which shows these data, and the tables following are from reports to the Census Bureau by all courts for 1937, and for 1935 and 1936, respectively, by courts covering, on the basis of the 1930 population, 98.1 percent and 98.3 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	377	100.0	291	100.0	415	100.0
Eliminated without conviction	81	21.5	95	32.6	120	28.9
Dismissed	47	12.5	61	21.0	71	17.1
Jury waived, acquitted by court ..	1	0.3	-	-	4	1.0
Acquitted by jury	31	8.2	28	9.6	31	7.5
Other no-penalty dispositions ..	2	0.5	6	2.1	14	3.4
Convicted	296	78.5	196	67.4	295	71.1
Plea of guilty	221	58.6	139	47.8	192	46.3
Court finds guilty	9	2.4	5	1.7	6	1.4
Jury verdict guilty	66	17.5	52	17.9	97	23.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF UTAH, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	462	112	70	3	37	2	350	261	15	74
Major offenses, total ..	377	81	47	1	31	2	296	221	9	66
Murder	6	3	-	-	3	-	3	-	-	3
Involuntary manslaughter	15	6	1	-	5	-	9	3	-	6
Robbery	37	10	8	-	2	-	27	15	-	12
Aggravated assault	15	8	4	-	2	2	7	4	-	3
Burglary	105	14	7	-	7	-	91	81	1	9
Larceny, except auto theft	80	8	4	1	3	-	72	57	2	13
Auto theft	10	1	-	-	1	-	9	9	-	-
Embezzlement and fraud ..	17	5	1	-	4	-	12	7	2	3
Stolen property	-	-	-	-	-	-	-	-	-	-
Forgery	42	11	9	-	2	-	31	28	-	3
Perjury	7	4	4	-	-	-	3	-	-	3
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	24	6	6	-	-	-	18	6	4	8
Violating drug laws	1	1	1	-	-	-	-	-	-	-
Carrying weapons, etc.	5	2	1	-	1	-	3	2	-	1
Other major offenses	13	2	1	-	1	-	11	9	-	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	4	-	-	-	-	-	4	4	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping	2	-	-	-	-	-	2	2	-	-
Perjury	7	2	1	-	1	-	5	3	-	2
Other offenses:										
Minor assault	10	2	2	-	-	-	8	8	-	-
Insupport or neglect	11	2	2	-	-	-	9	9	-	-
Violating liquor laws	29	9	8	-	1	-	20	11	4	5
Driving while intoxicated ..	8	4	2	-	2	-	4	2	1	1
Other motor vehicle laws ..	13	9	5	1	3	-	4	4	-	-
Disorderly conduct and vagrancy	3	2	1	1	-	-	1	1	-	-
Smuggling	-	-	-	-	-	-	-	-	-	-
Other offenses	11	3	3	-	-	-	8	5	1	2

(OVER)

More detailed figures on the work of these courts in 1937, given in table 2, show that 377, or 81.6 percent, of the defendants were charged with major crimes, while the remaining 85, or 18.4 percent, were charged with less serious offenses. Of the major offenders, 254, or 67.4 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 43, or 11.4 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 215, or 84.6 percent, were convicted, and of those charged with offenses against the person, 22, or 51.2 percent, were convicted. Robbery, which involves both "person" and "property", was the charge in 37 instances, and of these, 27, or 73.0 percent, resulted in convictions.

It may be noted from table 3 that prison sentences were imposed on more than half of the defendants convicted of major crimes in 1935, 1936, and 1937, while suspended sentences or probation were imposed almost twice as frequently in 1937 (29.1 percent) as in 1935 (14.9 percent). While the extent to which the courts of Utah determine punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender, is unknown, table 4 shows a variety of punishments for offenses of the same class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness. It is also interesting that, between 1936 and 1937, the increase in pleas of guilty is almost the same as the increase in probation or suspended sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	296	100.0	190	100.0	295	100.0
Death	-	-	-	-	-	-
Prison or reformatory	168	56.8	118	62.1	185	62.7
Probation or suspended sentence	86	29.1	36	18.9	44	14.9
Local jails	33	11.1	27	14.2	42	14.2
Fine or costs only	5	1.7	9	4.7	16	5.4
Juvenile institutions	4	1.4	-	-	7	2.4
Other sentences	-	-	-	-	1	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF UTAH, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	350	-	171	100	54	20	5	-
Major offenses, total	296	-	168	86	33	5	4	-
Murder	3	-	3	-	-	-	-	-
Manslaughter	9	-	1	1	6	1	-	-
Robbery	27	-	21	3	-	-	3	-
Aggravated assault	7	-	4	1	2	-	-	-
Burglary	91	-	60	31	-	-	-	-
Larceny, except auto theft	72	-	28	24	17	2	1	-
Auto theft	9	-	3	5	1	-	-	-
Embezzlement and fraud	12	-	5	3	2	2	-	-
Stolen property	-	-	-	-	-	-	-	-
Forgery	31	-	21	8	2	-	-	-
Rape	3	-	3	-	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	18	-	13	4	1	-	-	-
Violating drug laws	3	-	-	-	-	-	-	-
Carrying weapons, etc.	3	-	2	1	-	-	-	-
Other major offenses	11	-	4	5	2	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	4	-	1	3	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	-	-	-	-	-	-	-	-
Kidnaping	2	-	-	-	2	-	-	-
Perjury	5	-	3	2	-	-	-	-
Other offenses:								
Minor assault	8	-	-	6	2	-	-	-
Nonsupport or neglect	9	-	-	5	-	4	-	-
Violating liquor laws	20	-	-	2	8	10	-	-
Driving while intoxicated	4	-	-	1	3	-	-	-
Other motor vehicle laws	4	-	-	-	4	-	-	-
Disorderly conduct and vagrancy	1	-	-	-	1	-	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	8	-	3	-	3	1	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1937

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VERMONT

In 1937, 77.8 percent of the defendants charged with major offenses in the trial courts of Vermont were convicted, a slight increase from the 74.5 percent convicted in 1936, and the 73.9 percent convicted in 1935. Each year, almost all charges were disposed of either by plea of guilty or dismissals, and very few resulted in trials. Actually, the percentage of trials was 4.3 in 1937, 8.5 in 1936, and 7.7 in 1935.

The data shown in the following tables are compiled from reports furnished by both county and municipal courts. It is estimated that, on the basis of the 1930 population, the reports covered approximately 98 percent of the State in 1935, 65 percent in 1936, and 90 percent in 1937.

More detailed figures on the work of these courts in 1937 are presented in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	649	100.0	377	100.0	659	100.0
Eliminated without conviction	144	22.2	96	25.5	172	26.1
Dismissed	117	18.0	76	20.2	121	18.4
Jury waived, acquitted by court ..	1	0.2	3	0.8	2	0.3
Acquitted by jury	8	1.2	4	1.1	8	1.2
Other no-penalty dispositions ..	18	2.8	13	3.4	41	6.2
Convicted	505	77.8	281	74.5	487	73.9
Plea of guilty	486	74.9	256	67.9	446	67.7
Court finds guilty	-	-	2	0.5	18	2.7
Jury verdict guilty	19	2.9	23	6.1	23	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF VERMONT, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	5,205	578	464	18	28	68	4,627	4,531	55	41
Major offenses, total ..	649	144	117	1	8	18	505	486	-	19
Murder	6	4	1	-	2	1	2	-	-	2
Manslaughter	-	-	-	-	-	-	-	-	-	-
Robbery	2	1	1	-	-	-	1	1	-	-
Aggravated assault	7	6	5	-	-	1	1	1	-	-
Burglary	76	13	11	-	-	2	63	63	-	-
Larceny, except auto theft ..	277	51	49	-	2	-	226	224	-	2
Auto theft	50	5	4	-	-	1	45	44	-	1
Embezzlement and fraud ...	28	6	4	-	-	2	22	22	-	-
Stolen property	25	8	6	-	-	2	17	16	-	1
Forgery	25	2	2	-	-	-	23	23	-	-
Rape	24	11	9	-	-	2	13	11	-	2
Commercialized vice	13	4	4	-	-	-	9	9	-	-
Other sex offenses	82	21	14	-	3	4	61	56	-	5
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	-	-	-	-	-	-	-	-	-	-
Other major offenses	34	12	7	1	1	3	22	16	-	6
Abortion	1	-	-	-	-	-	1	-	-	1
Arson	18	8	4	1	-	3	10	6	-	4
Bigamy	2	1	1	-	-	-	1	1	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	11	2	1	-	1	-	9	8	-	1
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	1	1	-	-	-	1	1	-	-
Other offenses:										
Minor assault	5	3	3	-	-	-	2	2	-	-
Nonsupport or neglect	83	34	26	3	1	4	49	48	-	1
Violating liquor laws	131	63	50	-	1	12	68	64	1	3
Driving while intoxicated ..	295	30	23	1	6	-	265	256	2	7
Other motor vehicle laws ..	1,158	64	47	-	4	13	1,094	1,042	47	5
Disorderly conduct and vagrancy	2,589	162	129	12	5	16	2,427	2,423	2	2
Gambling	57	15	14	1	-	-	42	41	-	1
All other offenses	238	63	55	-	3	5	175	169	3	3

(OVER)

In 1937, 649, or 12.5 percent, of the defendants were charged with major crimes, and of these, 481, or 74.1 percent, were charged with the taking of property through some form of burglary, fraud, larceny, or the receipt of stolen goods, while 37, or 5.7 percent, were charged with doing bodily injury through murder, assault, or rape. Of those charged with crimes against "property", 396, or 82.3 percent, were convicted, and of those charged with crimes against the person, 16, or 43.2 percent, were convicted. No cases of manslaughter, and only 2 of robbery, were disposed of during the year.

Table 3 shows the types of sentences imposed on those convicted of major offenses in 1935, 1936, and 1937. The number of prison sentences reported for 1936 was proportionately greater than for 1935

and 1937. However, the 1936 data do not include reports from 5 municipal courts which were included in the other 2 years. As municipal courts make proportionately less use of prison sentences than do county courts, this fact probably accounts for the variation noted. In each year, nevertheless, incarceration was, by far, the most frequent type of punishment, with more than three-fifths of the sentences being to prisons, reformatories, or jails. While the extent to which the courts of Vermont choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	505	100.0	281	100.0	487	100.0
Death	-	-	-	-	-	-
Prison or reformatory	184	36.4	134	47.7	193	39.6
Probation or suspended sentence	132	26.1	59	21.0	96	19.7
Local jails	122	24.2	43	15.3	117	24.0
Fine or costs only	59	11.7	40	14.2	63	12.9
Juvenile institutions	8	1.6	5	1.8	15	3.1
Other sentences	-	-	-	-	3	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF VERMONT, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	4,627	-	220	310	1,607	2,464	26	-
Major offenses, total	505	-	184	132	122	59	8	-
Murder	2	-	2	-	-	-	-	-
Manslaughter	1	-	-	-	-	-	-	-
Robbery	1	-	1	-	-	-	-	-
Aggravated assault	1	-	1	-	-	-	-	-
Burglary	63	-	29	28	-	1	5	-
Larceny, except auto theft	226	-	43	51	92	39	1	-
Auto theft	45	-	20	7	13	5	-	-
Embezzlement and fraud	22	-	2	8	7	4	1	-
Stolen property	17	-	4	5	4	4	-	-
Forgery	23	-	13	5	4	1	-	-
Rape	13	-	9	4	-	-	-	-
Commercialized vice	9	-	6	3	-	-	-	-
Other sex offenses	61	-	38	18	1	4	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	22	-	16	3	1	1	1	-
Abortion	1	-	1	-	-	-	-	-
Arson	10	-	8	1	-	-	1	-
Bigamy	1	-	-	1	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	9	-	7	1	1	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Ferjury	1	-	-	-	-	1	-	-
Other offenses:								
Minor assault	2	-	-	1	-	-	1	-
Nonsupport or neglect	49	-	10	33	1	1	4	-
Violating liquor laws	68	-	6	29	6	27	-	-
Driving while intoxicated	265	-	2	31	38	194	-	-
Other motor vehicle laws	1,094	-	7	20	80	983	4	-
Disorderly conduct and vagrancy	2,427	-	5	33	1,318	1,069	2	-
Gambling	42	-	-	1	3	38	-	-
All other offenses	175	-	6	30	39	93	7	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1937

WASHINGTON

Page 1

The proportion convicted of the defendants charged with major crimes in the Superior Courts of Washington has increased steadily from 77.3 percent in 1935 to 81.6 percent in 1937, according to annual reports received from these Courts by the Bureau of the Census. The reports also reveal an even greater increase in the proportion of defendants pleading guilty (62.8 percent in 1935 to 71.4 percent in 1937). In no one of these years

did more than 15 percent of the defendants exercise their right to a trial by jury. During the three year period juries returned verdicts of "guilty" against 3 of every 4 persons tried by them.

These comparative data are shown in table 1, while more detailed figures for 1937, which show disposition by offense, are presented in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,579	100.0	1,501	100.0	1,721	100.0
Eliminated without conviction	290	18.4	315	21.0	390	22.7
Dismissed	219	13.9	199	13.3	251	14.6
Jury waived, acquitted by court ..	2	0.1	2	0.1	1	0.1
Acquitted by jury	52	3.3	47	3.1	70	4.1
Other no-penalty dispositions ..	17	1.1	67	4.5	68	4.0
Convicted	1,289	81.6	1,186	79.0	1,331	77.3
Plea of guilty	1,128	71.4	1,015	87.6	1,080	62.8
Court finds guilty	18	1.1	8	0.5	64	3.7
Jury verdict guilty	143	9.1	163	10.9	187	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1937

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,071	480	382	6	72	20	1,591	1,391	34	166
Major offenses, total ..	1,579	290	219	2	52	17	1,289	1,128	18	143
Murder	23	6	3	-	3	-	17	5	-	12
Manslaughter	67	22	10	-	11	1	45	29	1	15
Robbery	76	10	9	-	1	-	66	52	-	14
Aggravated assault	54	6	4	-	2	-	48	40	1	7
Burglary	298	25	18	-	7	-	273	249	-	24
Larceny, except auto theft ..	440	90	76	-	9	5	350	308	7	35
Auto theft	116	12	9	-	2	1	104	100	-	4
Embezzlement and fraud ...	49	24	20	-	2	2	25	17	4	4
Stolen property	22	5	5	-	-	-	17	17	-	-
Forgery	167	17	15	-	2	-	150	139	-	11
Rape	60	17	8	1	5	3	43	39	1	3
Commercialized vice	1	-	-	-	-	-	1	1	-	-
Other sex offenses	103	27	21	-	4	2	76	68	1	7
Violating drug laws	15	5	1	1	-	3	10	6	3	1
Carrying weapons, etc. ...	17	3	3	-	-	-	14	14	-	-
Other major offenses	71	21	17	-	4	-	50	44	-	6
Abortion	1	-	-	-	-	-	1	1	-	-
Arson	18	6	2	-	4	-	12	12	-	-
Bigamy	8	1	1	-	-	-	7	7	-	-
Blackmail and extortion ..	6	2	2	-	-	-	4	4	-	-
Escape and jail break ..	10	2	2	-	-	-	8	8	-	-
Kidnaping	7	5	5	-	-	-	2	2	-	-
Perjury	21	5	5	-	-	-	16	10	-	6
Other offenses:										
Minor assault	55	12	11	-	1	-	43	40	-	3
Nonsupport or neglect	45	22	20	-	-	2	23	22	1	-
Violating liquor laws	57	31	26	1	3	1	26	17	7	2
Driving while intoxicated ..	98	32	25	1	6	-	66	60	1	5
Other motor vehicle laws ..	43	13	12	-	1	-	30	28	-	2
Disorderly conduct and vagrancy	36	11	11	-	-	-	25	21	3	1
Gambling	42	18	16	-	2	-	24	23	1	-
All other offenses	116	51	42	2	7	-	65	52	3	10

(OVER)

Of those charged with major offenses in 1937, 1,092, or 69.2 percent, of the defendants answered charges involving the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 204, or 12.9 percent, were charged with one of the offenses involving personal injury - murder, manslaughter, aggravated assault, or rape. Of those charged with "property" crimes, 919, or 84.2 percent, were convicted, while of those charged with offenses against the person, 153, or 75.0 percent, were convicted. Robbery, an offense which involves both "person" and "property", was the charge against 76 defendants, of whom, 66, or 86.8 percent, were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major offenses during

each of the past three years, reveals that an almost constant proportion (approximately 65 percent) were sentenced to prisons or reformatories each year and that the proportion sentenced to jails increased from 14.4 percent in 1935 to 17.9 percent in 1937. In all, 83.6 percent of those convicted in 1937 were incarcerated.

While the extent to which the courts of Washington choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual is unknown, as table 4 shows, a variety of punishments were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,289	100.0	1,170	100.0	1,323	100.0
Death	5	0.4	1	0.1	4	0.3
Prison or reformatory	847	65.7	763	65.2	867	65.5
Probation or suspended sentence	193	15.0	202	17.3	205	15.5
Local jails	231	17.9	182	15.6	190	14.4
Fine or costs only	13	1.0	15	1.3	36	2.7
Juvenile institutions	-	-	7	0.6	13	1.0
Other sentences	-	-	-	-	8	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,591	5	859	251	388	79	9	-
Major offenses, total	1,289	5	847	193	231	13	-	-
Murder	17	5	12	-	-	-	-	-
Manslaughter	45	-	18	5	20	2	-	-
Robbery	66	-	65	1	-	-	-	-
Aggravated assault	48	-	31	8	5	4	-	-
Burglary	273	-	222	47	4	-	-	-
Larceny, except auto theft	350	-	167	60	122	1	-	-
Auto theft	104	-	73	22	9	-	-	-
Embezzlement and fraud	25	-	8	4	8	5	-	-
Stolen property	17	-	6	2	9	-	-	-
Forgery	150	-	134	14	2	-	-	-
Rape	43	-	39	2	2	-	-	-
Commercialized vice	1	-	1	-	-	-	-	-
Other sex offenses	76	-	35	16	25	-	-	-
Violating drug laws	10	-	7	1	2	-	-	-
Carrying weapons, etc.	14	-	2	-	11	1	-	-
Other major offenses	50	-	27	11	12	-	-	-
Abortion	1	-	1	-	-	-	-	-
Arson	12	-	8	3	1	-	-	-
Bigamy	7	-	5	2	-	-	-	-
Blackmail and extortion	4	-	2	1	1	-	-	-
Escape and jail break	8	-	3	1	4	-	-	-
Kidnaping	2	-	1	1	-	-	-	-
Perjury	16	-	7	3	6	-	-	-
Other offenses:								
Minor assault	43	-	-	8	28	7	-	-
Nonsupport or neglect	23	-	-	15	8	-	-	-
Violating liquor laws	26	-	2	9	11	4	-	-
Driving while intoxicated	66	-	1	4	45	7	9	-
Other motor vehicle laws	30	-	2	5	13	10	-	-
Disorderly conduct and vagrancy	25	-	-	1	19	5	-	-
Gambling	24	-	-	6	2	16	-	-
All other offenses	65	-	7	10	31	17	-	-

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WISCONSIN

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For 1937, Wisconsin courts with criminal jurisdiction reported that of 3,024 persons charged with major crimes, 2,548, or 84.3 percent, were convicted. Similar figures for 1935 and 1936, respectively, were 79.1 percent and 77.7 percent. It may also be noted that in no one of these three years did as many as 5 percent of the defendants waive themselves of their right to trial by jury, while 8.5 percent in 1935, 8.0 percent in 1936,

and 7.7 percent in 1937 waived trial by jury and were tried by the court.

These figures, which are presented in table 1, are, like those in tables following, from reports of practically all courts in the State having the power to try persons charged with major offenses, and include Superior, Circuit, County, and Municipal Courts.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	3,024	100.0	3,005	100.0	3,417	100.0
Eliminated without conviction	476	15.7	670	22.3	714	20.9
Dismissed	332	11.0	454	15.1	480	14.0
Jury waived, acquitted by court ..	41	1.4	42	1.4	49	1.4
Acquitted by jury	39	1.3	41	1.4	52	1.5
Other no-penalty dispositions ..	64	2.1	133	4.4	133	3.9
Convicted	2,548	84.3	2,335	77.7	2,703	79.1
Plea of guilty	2,275	75.2	2,049	68.2	2,346	68.7
Court finds guilty	190	6.3	199	6.6	244	7.1
Jury verdict guilty	83	2.7	87	2.9	113	3.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CRIMINAL TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	17,505	1,306	959	126	71	150	16,199	15,533	545	121
Major offenses, total ..	3,024	476	332	41	39	64	2,548	2,275	190	83
Murder	18	5	2	-	2	1	13	2	4	7
Manslaughter	51	16	5	-	9	2	35	19	3	13
Robbery	83	5	4	-	1	-	78	69	5	4
Aggravated assault	95	29	13	3	5	8	66	49	14	3
Burglary	385	22	16	3	1	2	363	328	32	3
Larceny, except auto theft ..	786	105	86	6	7	6	681	630	45	6
Auto theft	267	28	12	13	-	3	239	221	14	4
Embezzlement and fraud ...	269	92	77	-	1	14	177	170	5	2
Stolen property	48	8	5	-	-	3	40	36	1	3
Forgery	261	29	24	2	-	3	232	223	7	2
Peage	169	27	14	5	4	4	142	112	18	12
Commercialized vice	31	7	2	1	3	1	24	20	3	1
Other sex offenses	476	92	65	8	3	16	384	326	38	20
Violating drug laws	4	-	-	-	-	-	4	3	1	-
Carrying weapons, etc.	29	4	4	-	-	-	25	25	-	-
Other major offenses	52	7	3	-	3	1	45	42	-	3
Abortion	2	-	-	-	-	-	2	1	-	1
Arson	20	5	1	-	3	1	15	14	-	1
Bigamy	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	1	-	-	-	-	-	1	1	-	-
Escape and jail break ..	21	1	1	-	-	-	20	19	-	1
Kidnaping	2	-	-	-	-	-	2	2	-	-
Perjury	4	1	1	-	-	-	3	3	-	-
Other offenses:										
Minor assault	258	69	62	3	2	2	189	152	29	8
Insupport or neglect	488	170	139	15	-	16	318	278	38	2
Violating liquor laws	253	67	59	3	3	2	186	159	21	6
Driving while intoxicated ..	619	34	28	1	2	3	585	513	69	3
Other motor vehicle laws ..	7,215	129	98	9	4	18	7,086	7,044	40	2
Disorderly conduct and vagrancy	4,581	111	57	40	1	13	4,470	4,391	78	1
Gambling	103	39	29	5	5	-	64	59	3	2
All other offenses	964	211	155	9	15	32	753	662	77	14

(OVER)

More detailed figures for 1937, which show for both major and minor crimes the type of disposition by the class of offense charged, are given in table 2. From these, it may be seen that of the persons charged with major offenses, 333, or 11.0 percent, were accused either of murder, manslaughter, assault, or rape, all of which involve the doing of personal injury. Likewise, among the defendants to major charges were 2,016 persons charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Of those charged with offenses against the person, 256, or 76.9 percent, were convicted, while of those charged with "property" crimes, 1,732, or 85.9 percent were convicted. Robbery, an offense which involves both "property" and "person" was the charge against 83 defendants, and, of these, 78 were convicted.

Figures on the types of sentences imposed on those convicted of major crimes during the years 1935, 1936, and 1937, which are presented in table 3, reveal a steady decrease in the proportions sentenced to jails and to prisons and reformatories, and an increase in the proportion placed on probation or under suspended sentences.

While the extent to which the courts of Wisconsin choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, table 4 shows that a variety of sentences were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,548	100.0	2,330	100.0	2,703	100.0
Death	-	-	-	-	-	-
Prison or reformatory	730	28.6	717	30.8	867	32.1
Probation or suspended sentence	1,053	41.3	855	36.7	969	35.8
Local jails	500	19.6	488	20.9	621	23.0
Fine or costs only	235	9.2	252	10.8	237	8.8
Juvenile institutions	30	1.2	13	0.6	6	0.2
Other sentences	-	-	5	0.2	3	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CRIMINAL TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	16,199	-	799	3,902	1,820	9,568	30	8
Major offenses, total	2,548	-	730	1,053	500	235	30	
Murder	13	-	13	-	-	-	-	
Manslaughter	35	-	11	6	14	4	-	
Robbery	78	-	65	11	-	-	2	
Aggravated assault	66	-	36	20	-	9	1	
Burglary	363	-	128	175	45	1	14	
Larceny, except auto theft	681	-	120	272	197	88	4	
Auto theft	239	-	68	135	21	12	3	
Embezzlement and fraud	177	-	26	87	37	26	1	
Stolen property	40	-	4	22	7	6	1	
Forgery	232	-	90	108	31	3	-	
Rape	142	-	51	88	-	-	3	
Commercialized vice	24	-	2	4	6	12	-	
Other sex offenses	384	-	88	110	121	64	1	
Violating drug laws	4	-	-	-	4	-	-	
Carrying weapons, etc.	25	-	-	6	11	8	-	
Other major offenses	45	-	28	9	6	2	-	
Abortion	2	-	-	1	-	1	-	
Arson	15	-	9	6	-	-	-	
Bigamy	2	-	2	-	-	-	-	
Blackmail and extortion	1	-	-	-	1	-	-	
Escape and jail break	20	-	13	2	5	-	-	
Kidnaping	2	-	2	-	-	-	-	
Perjury	3	-	2	-	-	1	-	
Other offenses:								
Minor assault	189	-	-	20	68	101	-	
Nonsupport or neglect	318	-	23	245	47	3	-	
Violating liquor laws	186	-	5	25	28	128	-	
Driving while intoxicated	585	-	1	20	26	514	-	
Other motor vehicle laws	7,086	-	9	121	39	6,861	-	
Disorderly conduct and vagrancy	4,470	-	15	2,226	1,020	1,209	-	
Gambling	64	-	-	1	-	63	-	
All other offenses	753	-	16	191	92	454	-	

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WYOMING

The District Courts of Wyoming reported that 81.1 percent of those charged with major criminal offenses were convicted in 1937, while 74.0 percent were convicted in 1936, and 77.0 percent in 1935. Only small percentages (10.7 in 1937, 8.1 in 1936, and 12.1 in 1935) had their guilt determined by court or jury trials, almost all cases being disposed of either by convictions on pleas of guilty or by dismissals.

The data presented in the following tables are from reports furnished to the Census Bureau by all District Courts of the State for 1935, and for 1936 and 1937, respectively, by courts covering, on the basis of the 1930 population, 92.5 and 96.4 percent of the State.

More detailed figures on the work of these courts in 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	328	100.0	273	100.0	356	100.0
Eliminated without conviction	62	18.9	71	26.0	82	23.0
Dismissed	51	15.5	49	17.9	73	20.5
Jury waived, acquitted by court ..	-	-	1	0.4	-	-
Acquitted by jury	10	3.0	6	2.2	3	0.8
Other no-penalty dispositions ..	1	0.3	15	5.5	6	1.7
Convicted	266	81.1	202	74.0	274	77.0
Plea of guilty	241	73.5	187	68.5	234	65.7
Court finds guilty	11	3.4	3	1.1	19	5.3
Jury verdict guilty	14	4.3	12	4.4	21	5.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	522	113	95	3	14	1	409	344	50	15
Major offenses, total ..	328	62	51	-	10	1	266	241	11	14
Murder	7	1	-	-	1	-	6	2	-	4
Manslaughter	4	3	3	-	-	-	1	-	-	1
Robbery	13	2	2	-	-	-	11	9	2	-
Aggravated assault	10	4	1	-	3	-	6	4	1	1
Burglary	70	15	14	-	-	1	55	55	-	-
Larceny, except auto theft ..	114	15	12	-	3	-	99	88	7	4
Auto theft	20	3	3	-	-	-	17	17	-	-
Embezzlement and fraud ...	11	4	4	-	-	-	7	6	-	1
Stolen property	7	4	3	-	1	-	3	2	-	1
Forgery	45	3	2	-	1	-	42	41	-	1
Rape	11	6	5	-	1	-	5	4	-	1
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	9	2	2	-	-	-	7	6	1	-
Violating drug laws	2	-	-	-	-	-	2	2	-	-
Carrying weapons, etc.	1	-	-	-	-	-	1	1	-	-
Other major offenses	4	-	-	-	-	-	4	4	-	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	4	-	-	-	-	-	4	4	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault	8	2	2	-	-	-	6	4	2	-
Nonsupport or neglect	11	5	4	1	-	-	6	5	1	-
Violating liquor laws	9	3	2	-	1	-	6	4	2	-
Driving while intoxicated ..	14	4	4	-	-	-	10	8	2	-
Other motor vehicle laws ..	10	1	1	-	-	-	9	3	6	-
Disorderly conduct and vagrancy	19	-	-	-	-	-	19	11	8	-
Gambling	8	4	3	-	1	-	4	4	-	-
All other offenses	115	32	28	2	2	-	83	64	18	1

In 1937, 328, or 62.8 percent, of the defendants were charged with major crimes, while the remaining 194, or 37.2 percent, were charged with less serious offenses. Of the major offenses charged, 267, or 81.4 percent, involved the taking or conversion of property through some form of burglary, larceny, forgery, or fraud, while 32, or 9.8 percent, involved the doing of bodily harm through murder, manslaughter, assault, or rape. Convictions were returned in 223, or 83.5 percent, of the charges of crimes against "property", and in 18, or 56.3 percent, of the charges of crimes against the person. Robbery, involving both "person" and "property", was charged against 13 defendants, of whom 11 were convicted.

From table 3, which shows the types of sentences imposed on those convicted of major crimes

during the three year period, it may be noted that in each year more than three-fourths of those sentenced were given terms in prisons, reformatories, or jails. While the extent to which the courts of Wyoming choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offensees of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offensees of very different degrees of seriousness.

This collection of statistics on the functioning of State criminal courts was begun by the Census Bureau in 1932, under the authority of an Act of Congress, and is made possible by the cooperation of the clerks of court.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	266	100.0	202	100.0	272	100.0
Death	-	-	1	0.5	-	-
Prison or reformatory	181	68.0	144	71.3	195	71.7
Probation or suspended sentence	46	17.3	28	13.9	54	19.9
Local jails	25	9.4	18	8.9	15	5.5
Fine or costs only	14	5.3	10	5.0	7	2.6
Juvenile institutions	-	-	-	-	-	-
Other sentences	-	-	1	0.5	1	0.4

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offensees	409	-	193	96	44	62	14	-
Major offensees, total	266	-	181	46	25	14	-	-
Murder	6	-	6	-	-	-	-	-
Manslaughter	1	-	1	-	-	-	-	-
Robbery	11	-	7	4	-	-	-	-
Aggravated assault	6	-	5	1	-	-	-	-
Burglary	55	-	47	8	-	-	-	-
Larceny, except auto theft	99	-	48	20	22	9	-	-
Auto theft	17	-	15	2	-	-	-	-
Embezzlement and fraud	7	-	5	2	-	-	-	-
Stolen property	3	-	-	2	-	1	-	-
Forgery	42	-	35	6	1	-	-	-
Rape	5	-	5	-	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offensees	7	-	5	1	1	-	-	-
Violating drug laws	2	-	-	-	1	1	-	-
Carrying weapon, etc.	1	-	-	-	-	1	-	-
Other major offensees	4	-	2	-	-	2	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Bribe and extortion	-	-	-	-	-	-	-	-
Escape and jail break	4	-	2	-	-	2	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offensees:								
Minor assault	6	-	-	-	3	3	-	-
Nonsupport or neglect	6	-	1	4	1	-	-	-
Violating liquor laws	6	-	-	-	-	6	-	-
Driving while intoxicated	10	-	-	4	1	5	-	-
Other motor vehicle laws	9	-	-	1	-	8	-	-
Disorderly conduct and vagrancy	19	-	-	-	8	10	1	-
Gambling	4	-	-	-	-	4	-	-
All other offensees	83	-	11	41	6	12	13	-

JUDICIAL CRIMINAL STATISTICS

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Ref. Room

JUDICIAL CRIMINAL STATISTICS, 1938

INTRODUCTION

Twenty-seven States, including the District of Columbia, co-operated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of by courts of general jurisdiction during the year 1938. This is the seventh year that the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States, 24 States furnished information for 1933, 27 for 1934, 30 for 1935 and 1936, and 29 for 1937. During the present year (1938) two States, Arizona and Nebraska, were dropped from the annual collection because of the difficulties in obtaining a State official to act as State supervisor for the Bureau of the Census.

Scope of statistics.—The judicial criminal statistics gathered by the Bureau of the Census are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States there is a court of general jurisdiction in each county which has the authority in criminal cases to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender charged with a felony will be tried in a court of general jurisdiction although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended, in certain instances, to minor courts such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders arrested on a felony charge are disposed of finally in minor courts either by the dismissal of the charge at the preliminary examination or the reduction of the charge to a misdemeanor that is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case from the point of arrest or the filing of the first

charge to final disposition will there be data available to give us an adequate picture of the administration of criminal justice.

Methods of collection.—The judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on two uniform tally sheets supplied by the Bureau of the Census. One provides for the tallying of all defendants disposed of during the year by offense and method of disposition; the other provides for the tallying of all persons convicted by offense and sentence imposed. The 1938 data were collected by this tally-sheet method in 22 of the 27 States. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those respective States. For the District of Columbia, Minnesota, and 67 of the Ohio counties, the data were reported by means of individual-case cards.

The accuracy of the data reported on the tally sheets necessarily depends on the care with which clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that instructions are necessarily general in order to apply to many jurisdictions, that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally-sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The classification of cases according to offense and particular method of disposition or type of sentence also is quite difficult, and inasmuch as different clerks have different ideas as to how an offender should be classified, there is a resulting lack of uniformity in the data reported. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary is available, it is not likely to be in the same terms or units

as the census reports. Further, if errors have been made in the process of tallying, there is no way to check or eliminate them except to repeat the entire process.

A new method of collecting judicial criminal statistics on the basis of individual case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia and was continued during 1938. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The classification and tabulation of these cards is done for a State by a central statistical agency, ensuring uniform classification and interpretation of the data reported from all counties. This method is far more flexible than the tally-sheet method, as it makes possible a more intensive analysis of the data collected and, further, can quite easily be adapted to the particular record-keeping routines used by the different clerks of court. As more work is required to tabulate, analyze, and summarize reports collected under the individual-case method, it will be difficult for the Bureau of the Census to undertake the detailed work required in the collection of statistics by this method for a large number of States. The collection made in the three jurisdictions mentioned has been carried on as an experiment to test out the practicability of this system. It is hoped that the various States will establish their own statistical bureaus. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the establishment of such State bureaus. A State agency will be able to work out a system which fits the particular law, procedure, and practice of the State and can make much more detailed analysis of the statistics gathered than is possible by a national agency dealing with all States:

Limitations of the statistics.—There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page 9) that the 1938 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While each State usually has a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts which otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. However, the municipal courts

of that State have been granted power to dispose of felony cases where the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain fairly complete coverage of the felony convictions in that State.

There is a great deal of variance in the extent of jurisdiction possessed by the general trial courts even within a single State. These courts have essentially a residual jurisdiction; that is, they handle and dispose of all types of cases that are not specifically given over to some other court for disposal. In some States this jurisdiction is divided between general trial courts and minor courts, both having concurrent jurisdiction over misdemeanors. Frequently, in metropolitan counties the court of general jurisdiction will handle only felony cases, as the authority to dispose of all misdemeanor cases has been granted exclusively to the municipal court of the main city in the county. In the same State, however, the general trial courts in the rural counties will handle not only felony cases but also a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties of comparison in these statistics. The same technique that was used in 1935, 1936, and 1937 of limiting the summary and comparative analysis of State material to major offenses is again used in 1938. It is thought that this method eliminates a great deal of variability in the statistics which would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There are no refinements of selection, however, which will make up for the fact that these statistics do not embody the results of the early stages of prosecution of felony cases. In many counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges in municipal or other minor courts before the cases ever reach the general trial courts, whereas in other counties very few felony cases will be disposed of in the minor courts and the number of cases appearing in the trial courts will be, by comparison, exceedingly large. Consequently, it is impossible to assume that statistics of courts of general jurisdiction fully account for prosecution practices. For this reason, too positive conclusions should not be drawn from the variations in dispositions and sentences observed from State to State in these statistics.

ANALYSIS OF 1938 DATA

Disposition and sentence, by States.

The 1938 report consists principally of summaries for each of the 27 co-operating States. For 25 States it was possible to present a 4-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence, for the years 1938, 1937, 1936, and 1935. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 27 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction, and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 36.0 percent in Indiana to 4.0 percent in Rhode Island, and conversely, the proportion convicted ranges from 96.0 percent in Rhode Island to 64.0 percent in Indiana. For the

27 States taken individually, the median proportion convicted is 80.2 percent, that is, 13 States show a higher proportion of convictions and 13 States a smaller proportion.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions account for the great majority of defendants eliminated, ranging from 100.0 percent in Rhode Island to 39.9 percent in Pennsylvania. The median proportion dismissed for the 27 States taken individually is 77.1 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States this is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 53.5 percent in Pennsylvania to none in Rhode Island. The median proportion of defendants acquitted by jury for the 27 States is 16.8 percent.

TABLE 1.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1938

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 27 States.....	84,153	18,730	22.3	65,423	77.7
California.....	3,586	619	17.3	2,967	82.7
Colorado.....	1,546	273	17.7	1,273	82.3
Connecticut.....	1,029	156	15.2	873	84.8
District of Columbia.....	1,788	492	27.5	1,296	72.5
Idaho.....	510	86	16.9	424	83.1
Indiana.....	3,932	1,417	36.0	2,515	64.0
Iowa.....	1,641	332	20.2	1,309	79.8
Kansas.....	1,658	364	22.0	1,294	78.0
Massachusetts.....	3,085	692	22.4	2,393	77.6
Michigan.....	4,623	949	20.5	3,674	79.5
Minnesota.....	2,295	294	12.8	2,001	87.2
Montana.....	345	49	14.2	296	85.8
New Hampshire.....	496	108	21.8	388	78.2
New Jersey.....	6,104	1,208	19.8	4,896	80.2
New Mexico.....	955	238	24.9	717	75.1
New York.....	10,687	2,884	27.0	7,803	73.0
North Dakota.....	533	93	17.4	440	82.6
Ohio.....	6,459	997	15.4	5,462	84.6
Oregon.....	1,089	127	11.7	962	88.3
Pennsylvania.....	24,548	6,255	25.5	18,293	74.5
Rhode Island.....	651	26	4.0	625	96.0
South Dakota.....	392	51	13.0	341	87.0
Utah.....	383	102	26.6	281	73.4
Vermont.....	434	96	22.1	338	77.9
Washington.....	1,637	280	17.1	1,357	82.9
Wisconsin.....	3,430	472	13.8	2,958	86.2
Wyoming.....	317	70	22.1	247	77.9

TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1938

State	Total eliminated	Dismissed and other no-penalty		Acquitted by court		Acquitted by jury	
		Number	Percent	Number	Percent	Number	Percent
Total, 27 States.....	18,730	11,813	63.1	1,386	7.4	5,531	29.5
California.....	619	394	63.7	96	15.5	129	20.8
Colorado.....	273	194	71.1	5	1.8	74	27.1
Connecticut.....	156	143	91.7	12	7.7	1	0.6
District of Columbia.....	492	331	67.3	7	1.4	154	31.3
Idaho.....	86	67	77.9	6	7.0	13	15.1
Indiana.....	1,417	1,278	90.2	100	7.1	39	2.8
Iowa.....	332	290	87.3	10	3.0	32	9.6
Kansas.....	364	283	77.7	20	5.5	61	16.8
Massachusetts.....	692	444	64.2	109	15.8	139	20.1
Michigan.....	949	741	78.1	130	13.7	78	8.2
Minnesota.....	294	249	84.7	2	0.7	43	14.6
Montana.....	49	35	71.4	-	-	14	28.6
New Hampshire.....	108	98	90.7	2	1.9	8	7.4
New Jersey.....	1,208	715	59.2	292	24.2	201	16.6
New Mexico.....	238	186	78.2	1	0.4	51	21.4
New York.....	2,884	2,119	73.5	-	-	765	26.5
North Dakota.....	93	81	87.1	-	-	12	12.9
Ohio.....	997	735	73.7	83	8.3	179	18.0
Oregon.....	127	97	76.4	3	2.4	27	21.3
Pennsylvania.....	6,255	2,498	39.9	409	6.5	3,348	53.5
Rhode Island.....	26	26	100.0	-	-	-	-
South Dakota.....	51	36	70.6	2	3.9	13	25.5
Utah.....	102	43	42.2	14	13.7	45	44.1
Vermont.....	96	93	96.9	1	1.0	2	2.1
Washington.....	280	216	77.1	6	2.1	58	20.7
Wisconsin.....	472	367	77.8	71	15.0	34	7.2
Wyoming.....	70	54	77.1	5	7.1	11	15.7

Table 3 shows the number and proportion of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportions of convictions resulting from pleas of guilty range from 100.0 percent in Rhode Island to 61.5 percent in Pennsylvania. The median percentage for the 27 States taken individually is 88.0 percent. Jury verdicts of guilty accounted for 35.7 percent of all convictions in Pennsylvania and none in Rhode Island. The median proportion of convictions by jury among the 27 States is 7.8 percent.

Table 4 shows, for each of the 27 States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Kansas 78.0 percent of the defendants sentenced for major offenses received a prison sentence, while Pennsylvania, at the other end of the scale, showed only 13.6 percent of those convicted as sentenced to prison or death. The median State of the 27 shows a percentage of 46.2

receiving a prison or death sentence. Probation was used most extensively in Rhode Island, where 64.8 percent were reported as being placed on probation or given a suspended sentence. Kansas reported the least use of this type of sentence with 9.0 percent, while the median State shows a percentage of 30.8. Pennsylvania reported the highest proportion of jail sentences, and Colorado reported the lowest. The median State shows a percentage of 16.3 sentenced to jail.

Disposition and sentence, by offense.—In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense, for the 27 States combined, it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. The six States of Indiana, Michigan, New Jersey, New York, Ohio, and Pennsylvania account for over two-thirds (67.0 percent) of the cases covered, while the other 21 States account for the remainder.

TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1938

State	Total convicted	Flea of guilty		Court finds guilty		Jury verdict of guilty	
		Number	Percent	Number	Percent	Number	Percent
Total, 27 States.....	65,423	52,351	80.0	2,726	4.2	10,346	15.8
California.....	2,967	2,451	82.6	195	6.6	321	10.8
Colorado.....	1,273	1,093	85.9	32	2.5	148	11.6
Connecticut.....	873	821	94.0	36	4.1	16	1.8
District of Columbia.....	1,296	1,069	82.5	4	0.3	223	17.2
Idaho.....	424	373	88.0	18	4.2	33	7.8
Indiana.....	2,515	2,110	83.9	288	11.5	117	4.7
Iowa.....	1,309	1,225	93.6	31	2.4	53	4.0
Kansas.....	1,294	1,093	84.5	37	2.9	164	12.7
Massachusetts.....	2,393	2,041	85.3	137	5.7	215	9.0
Michigan.....	3,674	2,987	81.3	379	10.3	308	8.4
Minnesota.....	2,001	1,903	95.1	6	0.3	92	4.6
Montana.....	296	275	92.9	3	1.0	18	6.1
New Hampshire.....	388	353	91.0	3	0.8	32	8.2
New Jersey.....	4,896	4,207	85.9	386	7.9	303	6.2
New Mexico.....	717	622	86.8	33	4.6	62	8.6
New York.....	7,803	6,955	89.1	-	-	848	10.9
North Dakota.....	440	414	94.1	10	2.3	16	3.6
Ohio.....	5,462	4,737	86.7	253	4.6	472	8.6
Oregon.....	962	891	92.6	4	0.4	67	7.0
Pennsylvania.....	18,293	11,252	61.5	514	2.8	6,527	35.7
Rhode Island.....	625	625	100.0	-	-	-	-
South Dakota.....	341	305	89.4	26	7.6	10	2.9
Utah.....	281	208	74.0	13	4.6	60	21.4
Vermont.....	338	317	93.8	1	0.3	20	5.9
Washington.....	1,357	1,206	88.9	19	1.4	132	9.7
Wisconsin.....	2,958	2,585	87.4	290	9.8	83	2.8
Wyoming.....	247	233	94.3	8	3.2	6	2.4

Table 5 shows the total number of defendants disposed of in the 27 States and those eliminated and convicted in each offense group. Violations of drug laws, burglary, forgery, and auto theft show, in that order, the highest proportions of convictions, while manslaughter and assault show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 27 States for each of the three types of elimination. Defendants charged with forgery show the highest proportion of eliminations by dismissal and the lowest proportion of acquittals by jury. Defendants charged with murder show the lowest proportion of eliminations by dismissal and the highest proportion for acquittals by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 27 States by type of conviction. Forgery, burglary, and auto theft are the offense groups showing the highest proportion of convictions by plea of guilty, and murder and manslaughter are those showing the lowest. These last

two offense groups, however, show the highest proportion of convictions by jury verdict.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 27 States, by type of sentence imposed. As would be expected, nearly all prisoners convicted of murder were given a death or prison sentence. Of the 579 defendants shown in the table as receiving a death or prison sentence, 78 were given a death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of stolen property, embezzlement and fraud, and auto theft. The offense groups showing the highest proportion of defendants given jail sentences were violations of drug laws and carrying, etc., weapons.

As already pointed out, all reports received in the Census Bureau's collection of judicial criminal statistics are made voluntarily, and in some of the 22 States reporting by the tally-sheet method reports were not received from all clerks of court.

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1938

State	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Jails, work-houses, etc.		All other sentences	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 27 States.	65,423	*23,432	35.8	21,191	32.4	16,720	25.6	4,080	6.2
California.....	2,967	954	32.2	722	24.3	1,206	40.6	85	2.9
Colorado.....	1,273	845	66.4	321	25.2	63	4.9	44	3.5
Connecticut.....	873	257	29.4	297	34.0	304	34.8	15	1.7
District of Columbia	1,296	777	60.0	349	26.9	167	12.9	3	0.2
Idaho.....	424	241	56.8	94	22.2	78	18.4	11	2.6
Indiana.....	2,515	1,392	55.3	730	29.0	224	8.9	169	6.7
Iowa.....	1,309	578	44.2	206	15.7	441	33.7	84	6.4
Kansas.....	1,294	1,009	78.0	117	9.0	110	8.5	58	4.5
Massachusetts.....	2,393	645	27.0	854	35.7	609	25.4	285	11.9
Michigan.....	3,674	1,786	48.6	1,293	35.2	472	12.8	123	3.3
Minnesota.....	2,001	903	45.1	788	39.4	267	13.3	43	2.1
Montana.....	296	211	71.3	58	19.6	22	7.4	5	1.7
New Hampshire.....	388	113	29.1	195	50.3	70	18.0	10	2.6
New Jersey.....	4,896	1,698	34.7	1,797	36.7	1,044	21.3	357	7.3
New Mexico.....	717	393	54.8	248	34.6	39	5.4	37	5.2
New York.....	7,803	3,420	43.8	2,633	33.7	1,699	21.8	51	0.7
North Dakota.....	440	228	51.8	55	12.5	108	24.5	49	11.1
Ohio.....	5,462	2,524	46.2	2,297	42.1	468	8.6	173	3.2
Oregon.....	962	431	44.8	355	36.9	157	16.3	19	2.0
Pennsylvania.....	18,293	2,482	13.6	5,631	30.8	8,170	44.7	2,010	11.0
Rhode Island.....	625	162	25.9	405	64.8	57	9.1	1	0.2
South Dakota.....	341	191	56.0	68	19.9	69	20.2	13	3.8
Utah.....	281	152	54.1	104	37.0	21	7.5	4	1.4
Vermont.....	338	128	37.9	87	25.7	83	24.6	40	11.8
Washington.....	1,357	857	63.2	288	21.2	198	14.6	14	1.0
Wisconsin.....	2,958	899	30.4	1,158	39.1	561	19.0	340	11.5
Wyoming.....	247	156	63.2	41	16.6	13	5.3	37	15.0

*Includes 78 death sentences.

TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1938

Offense	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	84,153	18,730	22.3	65,423	77.7
Murder.....	930	322	34.6	608	65.4
Manslaughter.....	1,595	667	41.8	928	58.2
Robbery.....	7,557	1,592	21.1	5,965	78.9
Aggravated assault.....	6,350	2,398	37.8	3,952	62.2
Burglary.....	15,985	2,008	12.6	13,977	87.4
Larceny, except auto theft.....	18,519	3,301	17.8	15,218	82.2
Auto theft.....	5,141	828	16.1	4,313	83.9
Embezzlement and fraud.....	5,718	1,849	32.3	3,869	67.7
Stolen property.....	1,789	585	32.7	1,204	67.3
Forgery.....	5,091	789	15.5	4,302	84.5
Rape.....	3,350	1,136	33.9	2,214	66.1
Commercialized vice.....	989	274	27.7	715	72.3
Other sex offenses.....	5,098	1,337	26.2	3,761	73.8
Violating drug laws.....	1,068	130	12.2	938	87.8
Carrying, etc., weapons.....	2,481	583	23.5	1,898	76.5
Other major offenses.....	2,492	931	37.4	1,561	62.6

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TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1938

Offense	Total eliminated	Dismissed and other no-penalty		Acquitted by court		Acquitted by jury	
		Number	Percent	Number	Percent	Number	Percent
Total.....	18,730	11,813	63.1	1,386	7.4	5,531	29.5
Murder.....	322	133	41.3	6	1.9	183	56.8
Manslaughter.....	667	317	47.5	40	6.0	310	46.5
Robbery.....	1,592	816	51.3	141	8.9	635	39.9
Aggravated assault.....	2,398	1,325	55.3	185	7.7	888	37.0
Burglary.....	2,008	1,422	70.8	139	6.9	447	22.3
Larceny, except auto theft	3,301	2,084	63.1	254	7.7	963	29.2
Auto theft.....	828	524	63.3	58	7.0	246	29.7
Embezzlement and fraud....	1,849	1,395	75.4	130	7.0	324	17.5
Stolen property.....	585	383	65.5	61	10.4	141	24.1
Forgery.....	789	666	84.4	35	4.4	88	11.2
Rape.....	1,136	692	61.0	76	6.7	368	32.4
Commercialized vice.....	274	130	47.4	46	16.8	98	35.8
Other sex offenses.....	1,337	874	65.4	106	7.9	357	26.7
Violating drug laws.....	130	65	50.0	23	17.7	42	32.3
Carrying, etc., weapons...	583	294	50.4	46	7.9	243	41.7
Other major offenses.....	931	693	74.4	40	4.3	198	21.3

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1938

Offense	Total convicted	Plea of guilty		Court finds guilty		Jury verdict of guilty	
		Number	Percent	Number	Percent	Number	Percent
Total.....	65,423	52,351	80.0	2,726	4.2	10,346	15.8
Murder.....	608	258	42.4	22	3.6	328	33.9
Manslaughter.....	928	566	61.0	35	3.8	327	35.2
Robbery.....	5,965	3,858	64.7	185	3.1	1,922	32.3
Aggravated assault.....	3,952	2,565	64.9	277	7.0	1,110	28.1
Burglary.....	13,977	12,483	89.3	433	3.1	1,061	7.6
Larceny, except auto theft	15,218	12,710	83.5	585	3.8	1,923	12.6
Auto theft.....	4,313	3,821	88.6	126	2.9	366	8.5
Embezzlement and fraud....	3,869	3,092	79.9	179	4.6	598	15.5
Stolen property.....	1,204	934	77.6	92	7.6	178	14.8
Forgery.....	4,302	3,998	92.9	111	2.6	193	4.5
Rape.....	2,214	1,571	71.0	126	5.7	517	23.4
Commercialized vice.....	715	485	67.8	81	11.3	149	20.8
Other sex offenses.....	3,761	2,809	74.7	277	7.4	675	17.9
Violating drug laws.....	938	596	63.5	47	5.0	295	31.4
Carrying, etc., weapons...	1,898	1,350	71.1	90	4.7	458	24.1
Other major offenses.....	1,561	1,255	80.4	60	3.8	246	15.8

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1938

Offense	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Jails, work-houses, etc.		All other sentences	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	65,423	23,432	35.8	21,191	32.4	16,720	25.6	4,080	6.2
Murder.....	608	*579	95.2	9	1.5	19	3.1	1	0.2
Manslaughter.....	928	453	48.8	202	21.8	238	25.6	35	3.8
Robbery.....	5,965	3,219	54.0	1,112	18.6	1,537	25.8	97	1.6
Aggravated assault.....	3,952	1,227	31.0	1,113	28.2	1,299	32.9	313	7.9
Burglary.....	13,977	5,701	40.8	5,209	37.3	2,559	18.3	508	3.6
Larceny, except auto theft	15,218	4,215	27.7	5,458	35.9	4,560	30.0	985	6.5
Auto theft.....	4,313	1,591	36.9	1,664	38.6	882	20.4	176	4.1
Embezzlement and fraud...	3,869	802	20.7	1,534	39.6	1,097	28.4	436	11.3
Stolen property.....	1,204	267	22.2	506	42.0	322	26.7	109	9.1
Forgery.....	4,302	1,867	43.4	1,435	33.4	857	19.9	143	3.3
Rape.....	2,214	1,089	49.2	499	22.5	506	22.9	120	5.4
Commercialized vice.....	715	131	18.3	225	31.5	197	27.6	162	22.7
Other sex offenses.....	3,761	1,103	29.3	967	25.7	974	25.9	717	19.1
Violating drug laws.....	938	166	17.7	199	21.2	555	59.2	18	1.9
Carrying, etc., weapons..	1,898	310	16.3	655	34.5	777	40.9	156	8.2
Other major offenses.....	1,561	712	45.6	404	25.9	341	21.8	104	6.7

*Includes 78 death sentences.

Table 9 shows, by States, the total number of counties and the number of courts, by type, that furnished statistics for 1938 and the percentage of the population in each State that is covered by the reporting courts, on the basis of the 1930 Census.

SUMMARY AND CONCLUSION

The 1938 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the 1935, 1936, and 1937 data. As in 1937, the 1938 report is presented chiefly as a brief summary of the statistical data collected from the 27 co-operating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well as for more detailed analysis of the data collected.

It is emphasized again that comparisons between States should be made only with extreme caution and that probably no

general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary which shows, for defendants charged with major offenses, the distribution of sentences and dispositions for the years 1935, 1936, 1937, and 1938.

Again in 1938, as in the past years, these statistics indicate that from 70 to 80 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction were convicted. About two-thirds of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for between 80 and 90 percent of all convictions. Only one-fifth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, slightly more than one-third received sentences to State prisons or reformatories and about one-third were given probation or a suspended sentence.

ANALYSIS OF 1938 DATA

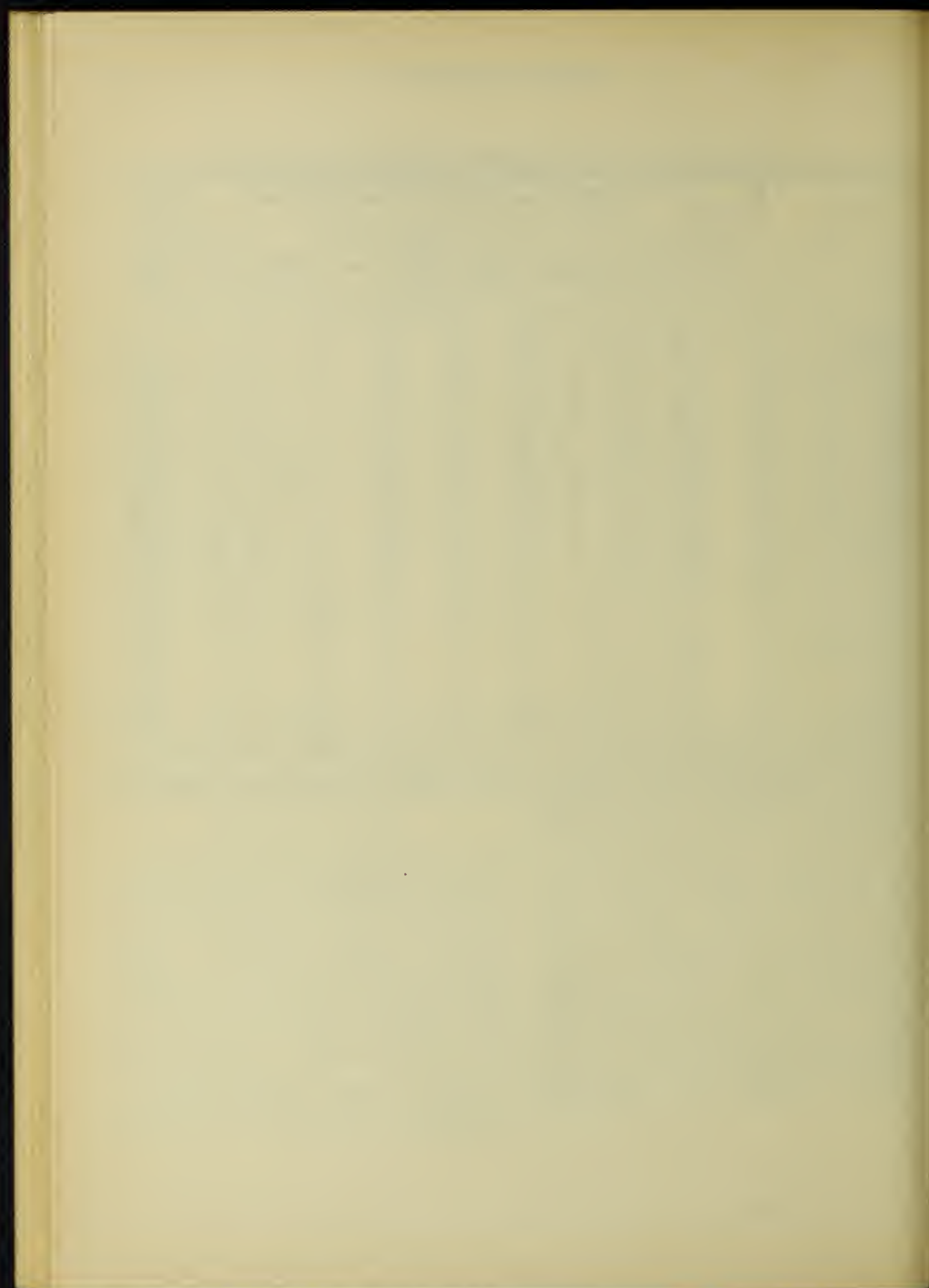
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TABLE 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1938

State	Number of counties in State	Number of reports received from each type of court								Percent of State's population covered by courts reporting in 1938
		Dis-trict	Cir-cuit	Super-rior	Common pleas	Quarter session andoyer andterminer	County	Munic-ipal	Crim-inal	
California.....	58	-	-	37	-	-	-	-	-	41.5
Colorado.....	63	61	-	-	-	-	-	-	-	99.8
Connecticut.....	8	-	-	9	5	-	-	-	-	100.0
District of Columbia.	1	1	-	-	-	-	-	-	-	100.0
Idaho.....	44	44	-	-	-	-	-	-	-	100.0
Indiana.....	92	-	75	4	-	-	-	-	1	73.6
Iowa.....	99	81	-	-	-	-	-	-	-	77.5
Kansas.....	105	105	-	-	-	-	-	-	-	100.0
Massachusetts.....	14	-	-	14	-	-	-	-	-	100.0
Michigan.....	83	-	83	1	-	-	-	a/1	-	100.0
Minnesota.....	87	87	-	-	-	-	-	-	-	100.0
Montana.....	56	47	-	-	-	-	-	-	-	62.9
New Hampshire.....	10	-	-	10	-	-	-	-	-	100.0
New Jersey.....	21	-	-	-	-	21	-	-	-	100.0
New Mexico.....	31	30	-	-	-	-	-	-	-	97.7
New York.....	62	-	-	-	-	-	62	-	-	100.0
North Dakota.....	53	50	-	-	-	-	-	-	-	93.5
Ohio.....	88	-	-	-	87	-	-	-	-	99.8
Oregon.....	36	-	30	-	-	-	-	-	-	91.5
Pennsylvania.....	67	-	-	-	-	66	-	-	-	99.6
Rhode Island.....	5	-	-	4	-	-	-	-	-	100.0
South Dakota.....	b/ 69	-	49	-	-	-	-	-	-	76.3
Utah.....	29	29	-	-	-	-	-	-	-	100.0
Vermont.....	14	-	-	-	-	-	11	6	-	55.5
Washington.....	39	-	-	39	-	-	-	-	-	100.0
Wisconsin.....	71	-	63	2	-	-	20	11	-	95.0
Wyoming.....	23	21	-	-	-	-	-	-	-	93.9

a. Recorder's Court of Detroit.

b. Includes five unorganized counties which, for judicial purposes, are attached to other counties.



DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

CALIFORNIA

More than four-fifths (82.7 percent) of the defendants charged with major offenses and disposed of by the superior courts of California during the calendar year 1938 were convicted. The percentage of convictions is almost identical with that shown for 1937. As usual, pleas of guilty accounted for the majority of all dispositions, while only 20.7 percent of the defendants were disposed of by means of trial.

Table 1 shows the disposition of defendants as reported by the clerks of the superior courts to the Bureau of the Census for each of the past four years. In 1938 reports were received from courts covering, on the basis of the 1930 population, 41.5 percent of the State. In 1937 the coverage was 54.5 percent, and in 1936 and 1935 it was 51.2 percent.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	3,586	100.0	4,330	100.0	3,785	100.0	3,760	100.0
Eliminated without conviction	619	17.3	745	17.2	774	20.4	803	21.4
Dismissed	342	9.5	402	9.3	464	12.3	503	13.4
Jury waived, acquitted by court	96	2.7	70	1.6	31	0.8	43	1.1
Acquitted by jury	129	3.6	209	4.8	172	4.5	176	4.7
Other no-penalty dispositions	52	1.5	64	1.5	107	2.8	81	2.2
Convicted	2,967	82.7	3,585	82.8	3,011	79.6	2,957	78.6
Flea of guilty	2,451	68.3	3,039	70.2	2,492	65.8	2,409	64.1
Court finds guilty	195	5.4	199	4.6	147	3.9	140	3.7
Jury verdict guilty	321	9.0	347	8.0	372	9.8	408	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	4,483	801	454	123	157	67	3,682	3,070	251	361
Major offenses, total ..	3,586	619	342	96	129	52	2,967	2,451	195	321
Murder	61	14	2	-	9	3	47	25	-	22
Manslaughter	71	19	4	7	7	1	52	28	3	21
Robbery	291	75	33	23	18	1	216	145	17	54
Aggravated assault	177	50	26	9	13	2	127	80	25	22
Burglary	706	86	60	1	13	12	620	539	29	52
Larceny, except auto theft ..	288	45	34	4	4	3	243	202	15	26
Auto theft	268	31	18	5	4	4	237	220	8	9
Embezzlement and fraud ...	461	84	53	13	14	4	377	334	24	19
Stolen property	63	15	10	3	2	-	48	35	7	6
Forgery	365	34	22	2	3	7	331	306	13	12
Rape	142	48	26	7	13	2	94	72	5	17
Commercialized vice	8	3	-	1	2	-	5	2	-	3
Other sex offenses	169	46	22	5	13	6	123	87	13	23
Violating drug laws	350	36	16	15	3	2	314	272	25	17
Carrying weapons, etc. ...	54	8	8	-	-	-	46	36	7	3
Other major offenses	112	25	8	1	11	5	87	68	4	15
Abortion	8	2	1	-	1	-	6	2	-	4
Arson	23	4	-	-	2	2	19	12	1	6
Bigamy	7	1	-	1	-	-	6	4	1	1
Blackmail and extortion ..	6	2	1	-	-	1	4	3	-	1
Escape and jail break ..	49	6	5	-	-	1	43	39	2	2
Kidnaping	15	7	1	-	5	1	8	7	-	1
Perjury	4	3	-	-	3	-	1	1	-	-
Other offenses:										
Minor assault	52	9	8	-	1	-	43	30	10	3
Nonsupport or neglect	223	48	38	5	1	4	175	163	4	8
Violating liquor laws	23	3	3	-	-	-	20	18	1	1
Driving while intoxicated ..	150	20	12	3	4	1	130	116	10	4
Other motor vehicle laws ..	198	49	26	8	10	5	149	123	15	11
Disorderly conduct and vagrancy	6	4	2	1	-	1	2	2	-	-
Gambling	77	-	-	-	-	-	77	75	2	-
All other offenses	168	49	23	10	12	4	119	92	14	13

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by embezzlement and fraud, forgery, and violations of drug laws. These four offense groups together accounted for 52.5 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938 less than one-third (31.9 percent) of those convicted were sentenced to prison, approximately one-fourth

(24.3 percent) were given probation or a suspended sentence, and 40.6 percent were reported as receiving jail sentences. As a jail sentence may be given in California in conjunction with probation, it is probable that a good many of the jail sentences reported were of this type.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,967	100.0	3,585	100.0	2,946	100.0	2,899	100.0
Death	7	0.2	13	0.4	11	0.4	15	0.5
Prison or reformatory	947	31.9	1,079	30.1	953	32.3	1,032	35.6
Probation or suspended sentence	722	24.3	1,008	28.1	733	24.9	770	26.6
Local jails	1,206	40.6	1,370	38.2	1,139	38.7	938	32.4
Fine or costs only	21	0.7	24	0.7	20	0.7	31	1.1
Juvenile institutions	64	2.2	91	2.5	90	3.1	111	3.8
Other sentences	-	-	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	3,682	7	971	1,081	1,412	145	65	1
Major offenses, total	2,967	7	947	722	1,206	21	64	-
Murder	47	7	40	-	-	-	-	-
Manslaughter	52	-	23	17	12	-	-	-
Robbery	216	-	147	17	46	1	5	-
Aggravated assault	127	-	37	15	74	-	1	-
Burglary	620	-	191	129	272	-	28	-
Larceny, except auto theft	243	-	74	71	95	-	3	-
Auto theft	237	-	51	72	96	2	16	-
Embezzlement and fraud	377	-	83	147	139	4	4	-
Stolen property	48	-	14	12	19	3	-	-
Forgery	331	-	102	88	137	-	4	-
Rape	94	-	37	20	37	-	-	-
Commercialized vice	5	-	3	2	-	-	-	-
Other sex offenses	123	-	52	25	45	-	1	-
Violating drug laws	314	-	33	88	193	-	-	-
Carrying weapons, etc.	46	-	13	6	22	5	-	-
Other major offenses	87	-	47	13	19	6	2	-
Abortion	6	-	3	2	1	-	-	-
Arson	19	-	8	4	7	-	-	-
Bigamy	6	-	4	2	-	-	-	-
Blackmail and extortion	4	-	3	1	-	-	-	-
Escape and jail break	43	-	24	1	10	6	2	-
Kidnaping	8	-	5	2	1	-	-	-
Perjury	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault	43	-	-	16	22	4	1	-
Nonsupport or neglect	175	-	1	147	27	-	-	-
Violating liquor laws	20	-	1	3	1	15	-	-
Driving while intoxicated	130	-	7	58	48	17	-	-
Other motor vehicle laws	149	-	7	78	59	4	-	1
Disorderly conduct and vagrancy	2	-	-	1	-	1	-	-
Gambling	77	-	-	2	4	71	-	-
All other offenses	119	-	8	54	45	12	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

COLORADO

Over four-fifths (82.3 percent) of the defendants charged with major offenses in the district courts of Colorado were convicted in 1938. This is an increase over 1937 in the proportion convicted and appears to be the result of more pleas of guilty and less dismissals.

Table 1 shows the disposition of defendants in the district courts of the State for each of the

past four years. On the basis of the 1930 population, the reports covered 97.5 percent of the State in 1935, 97.0 percent in 1936, 98.3 percent in 1937, and 99.8 percent in 1938.

Over 70 percent of all dispositions resulted from pleas of guilty. Only about one in each six defendants prosecuted (16.8 percent) was disposed of by means of a court or jury trial.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,546	100.0	1,567	100.0	1,419	100.0	1,568	100.0
Eliminated without conviction	273	17.7	388	24.8	451	31.8	518	33.0
Dismissed	168	10.9	266	17.0	343	24.2	360	23.0
Jury waived, acquitted by court ..	5	0.3	4	0.3	5	0.4	-	-
Acquitted by jury	74	4.8	93	5.9	64	4.5	98	6.3
Other no-penalty dispositions	26	1.7	25	1.6	39	2.7	60	3.8
Convicted	1,273	82.3	1,179	75.2	968	68.2	1,050	67.0
Plea of guilty	1,093	70.7	1,006	64.2	834	58.8	834	53.2
Court finds guilty	32	2.1	5	0.3	17	1.2	21	1.3
Jury verdict guilty	148	9.6	168	10.7	117	8.2	195	12.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF COLORADO, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,773	362	240	8	85	29	1,411	1,212	36	163
Major offenses, total ..	1,546	273	168	5	74	26	1,273	1,093	32	148
Murder	31	15	3	-	11	1	16	3	-	13
Manslaughter	26	11	2	-	8	1	15	12	-	3
Robbery	143	26	14	1	11	-	117	101	1	15
Aggravated assault	53	18	10	1	4	3	35	26	1	8
Burglary	381	47	33	1	7	6	334	294	7	33
Larceny, except auto theft ..	372	62	47	-	11	4	310	266	10	34
Auto theft	63	8	5	-	3	-	55	50	1	4
Embezzlement and fraud	179	17	14	-	3	-	162	148	1	13
Stolen property	52	9	6	-	1	2	43	33	1	9
Forgery	112	14	9	-	1	4	98	86	8	4
Sape	76	32	15	2	11	4	44	37	1	6
Commercialized vice	3	1	-	-	1	-	2	2	-	-
Other sex offenses	25	7	5	-	1	1	18	16	-	2
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	2	-	-	-	-	-	2	1	-	1
Other major offenses	28	6	5	-	1	-	22	18	1	3
Abortion	2	-	-	-	-	-	2	1	-	1
Arson	7	3	2	-	1	-	4	3	-	1
Bigamy	4	-	-	-	-	-	4	4	-	-
Blackmail and extortion ..	2	1	1	-	-	-	1	1	-	-
Escape and jail break ..	3	-	-	-	-	-	3	2	1	-
Kidnaping	4	1	1	-	-	-	3	3	-	-
Perjury	6	1	1	-	-	-	5	4	-	1
Other offenses:										
Minor assault	18	8	7	-	1	-	10	9	1	-
Non-support or neglect	41	18	16	-	1	1	23	21	1	1
Violating liquor laws	22	9	8	-	1	-	13	11	-	2
Driving while intoxicated ..	20	6	3	-	3	-	14	11	2	1
Other motor vehicle laws ..	9	6	-	3	3	-	3	2	-	1
Disorderly conduct and vagrancy	1	-	-	-	-	-	1	1	-	-
Gambling	40	3	3	-	-	-	37	33	-	4
All other offenses	76	39	35	-	2	2	37	31	-	6

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny and embezzlement and fraud. These three groups together accounted for 60.3 percent of all major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938 there were 4 defendants sentenced to death. Approximately two-thirds (66.1 percent) of those con-

victed were sentenced to prison or reformatory, one-fourth (25.2 percent) were placed on probation or received a suspended sentence, only 4.9 percent were given jail sentences, and the remainder of the convicted defendants were fined or committed to juvenile institutions.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,273	100.0	1,179	100.0	965	100.0	1,048	100.0
Death	4	0.3	3	0.3	2	0.2	1	0.1
Prison or reformatory	841	66.1	838	71.1	656	68.0	747	71.3
Probation or suspended sentence	321	25.2	249	21.1	216	22.4	182	17.4
Local jails	63	4.9	73	6.2	68	7.0	92	8.6
Fine or costs only	34	2.7	11	0.9	12	1.2	15	1.4
Juvenile institutions	10	0.8	5	0.4	11	1.1	9	0.9
Other sentences	-	-	-	-	-	-	2	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF COLORADO, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,411	4	866	357	97	76	11	-
Major offenses, total	1,273	4	841	321	63	34	10	-
Murder	16	4	12	-	-	-	-	-
Manslaughter	15	-	7	4	3	1	-	-
Robbery	117	-	100	16	-	-	1	-
Aggravated assault	35	-	19	3	8	5	-	-
Burglary	334	-	223	101	5	5	-	-
Larceny, except auto theft	310	-	169	98	22	15	6	-
Auto theft	55	-	36	13	5	-	1	-
Embezzlement and fraud	162	-	113	39	9	1	-	-
Stolen property	43	-	28	6	8	1	-	-
Forgery	98	-	71	22	1	2	2	-
Rape	44	-	34	10	-	-	-	-
Commercialized vice	2	-	-	-	-	2	-	-
Other sex offenses	18	-	15	2	-	1	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapon, etc.	2	-	-	1	1	-	-	-
Other major offenses	22	-	14	6	1	1	-	-
Abortion	2	-	1	-	-	1	-	-
Arson	4	-	4	-	-	-	-	-
Bigamy	4	-	3	1	-	-	-	-
Blackmail and extortion	1	-	1	-	-	-	-	-
Escape and jail break	3	-	1	1	1	-	-	-
Kidnaping	3	-	3	-	-	-	-	-
Perjury	5	-	1	4	-	-	-	-
Other offenses:								
Minor assault	10	-	2	1	7	-	-	-
Nonsupport or neglect	23	-	4	18	-	1	-	-
Violating liquor laws	13	-	-	1	9	3	-	-
Driving while intoxicated	14	-	-	5	3	5	1	-
Other motor vehicle laws	3	-	-	-	1	2	-	-
Disorderly conduct and vagrancy	1	-	-	-	-	1	-	-
Gambling	37	-	-	3	8	26	-	-
All other offenses	37	-	19	8	6	4	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938-1939*

CONNECTICUT

During the fiscal year ending June 30, 1939, 8.8 percent of the defendants charged with major criminal offenses in the superior and common pleas courts of the State of Connecticut were convicted. From table 1, which shows the data reported to the Bureau of the Census for each of the past four years, it is seen that the proportion of convictions is identical for the last two years and is approximately the same for all of the four years.

There was a slight increase in the percentage of pleas of guilty in 1938-39 as compared with the previous years. The fact that trials account for only a small part of the dispositions made in the criminal courts is seen from the proportions acquitted or convicted by court or jury each year. In 1935-36, 8.8 percent of all defendants were disposed of by trial, 9.2 percent in 1936-37, 9.2 percent in 1937-38, and 6.3 percent in 1938-39.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938-39*		1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,029	100.0	1,168	100.0	950	100.0	931	100.0
Dismissed without conviction	156	15.2	178	15.2	152	16.0	140	15.0
Dismissed	140	13.6	154	13.2	126	13.3	128	13.7
Jury waived, acquitted by court ..	12	1.2	14	1.2	18	1.9	6	0.6
Acquitted by jury	1	0.1	2	0.2	1	0.1	4	0.4
Other no-penalty dispositions	3	0.3	8	0.7	7	0.7	2	0.2
Convicted	873	84.8	990	84.8	798	84.0	791	85.0
Plea of guilty	821	79.8	898	76.9	730	76.8	719	77.2
Court finds guilty	36	3.5	66	5.7	60	6.3	46	4.9
Jury verdict guilty	16	1.6	26	2.2	8	0.8	26	2.8

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1938-1939*

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,840	479	432	31	6	10	1,361	1,232	101	28
Major offenses, total ..	1,029	156	140	12	1	3	873	821	36	16
Order	10	3	3	-	-	-	7	6	1	-
Involuntary manslaughter	36	13	12	1	-	-	23	22	-	1
Drunkenness	64	7	6	1	-	-	57	51	3	3
Aggravated assault	30	5	5	-	-	-	25	22	3	-
Burglary	292	21	17	3	-	1	271	265	5	1
Auto theft, except auto theft ..	94	16	13	2	-	1	78	76	2	-
Auto theft	62	3	3	-	-	-	59	57	1	1
Embezzlement and fraud	71	10	10	-	-	-	61	56	3	2
Stolen property	16	3	3	-	-	-	13	13	-	-
Burglary	22	3	3	-	-	-	19	15	4	-
Pe	80	7	6	1	-	-	73	62	9	2
Commercialized vice	28	16	16	-	-	-	12	9	-	3
Other sex offenses	145	33	31	1	-	1	112	109	2	1
Violating drug laws	1	-	-	-	-	-	1	1	-	-
Carrying weapons, etc.	15	1	1	-	-	-	14	14	-	-
Other major offenses	63	15	11	3	1	-	48	43	3	2
Abortion	5	2	2	-	-	-	3	3	-	-
Arson	21	8	6	2	-	-	13	10	3	-
Bigamy	9	1	1	-	-	-	8	8	-	-
Blackmail and extortion	8	3	2	-	1	-	5	4	-	1
Escape and jail break	18	1	-	1	-	-	17	16	-	1
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	-	-	-	-	-	2	2	-	-
Other offenses:										
Minor assault	61	10	10	-	-	-	51	33	14	4
Unsupport or neglect	39	18	16	1	-	1	21	15	6	-
Violating liquor laws	20	11	9	1	1	-	9	7	2	-
Driving while intoxicated ..	41	8	5	2	1	-	33	25	7	1
Other motor vehicle laws ..	230	132	117	12	2	1	98	78	17	3
Disorderly conduct and										
Vagrancy	83	36	31	1	1	3	47	44	2	1
Drunk driving	193	35	35	-	-	-	158	157	1	-
All other offenses	144	73	69	2	-	2	71	52	16	3

*Statistics are for the year July 1 through June 30.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by other sex offenses and larceny. These three offense groups together accounted for 51.6 percent of all major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four fiscal years in table 3. In 1938-39, 29.2 percent of these defendants were sen-

tenced to prison or reformatory, 34.0 percent were placed on probation or received a suspended sentence, and 34.8 percent were given sentences to jails or local workhouses.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938-39*		1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	873	100.0	990	100.0	783	100.0	786	100.0
Death	2	0.2	-	-	2	0.3	-	-
Prison or reformatory	255	29.2	324	32.7	262	33.5	312	39.7
Probation or suspended sentence	297	34.0	314	31.7	197	25.2	186	23.7
Local jails	304	34.8	322	32.5	287	36.7	254	32.3
Fine or costs only	15	1.7	29	2.9	33	4.2	31	3.9
Juvenile institutions	-	-	1	0.1	-	-	1	0.1
Other sentences	-	-	-	-	2	0.3	2	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1938-1939*

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offenses	1,361	2	264	361	484	250	-	-
Major offenses, total	873	2	255	297	304	15	-	-
Murder	7	2	5	-	-	-	-	-
Manslaughter	23	-	5	3	15	-	-	-
Robbery	57	-	37	11	9	-	-	-
Aggravated assault	25	-	8	1	16	-	-	-
Burglary	271	-	77	116	78	-	-	-
Larceny, except auto theft	78	-	10	37	28	3	-	-
Auto theft	59	-	15	20	24	-	-	-
Embezzlement and fraud	61	-	14	16	29	2	-	-
Stolen property	13	-	2	4	6	1	-	-
Forgery	19	-	6	3	10	-	-	-
Rape	73	-	23	31	18	1	-	-
Commercialized vice	12	-	4	2	6	-	-	-
Other sex offenses	112	-	28	37	40	7	-	-
Violating drug laws	1	-	-	1	-	-	-	-
Carrying weapons, etc.	14	-	4	4	6	-	-	-
Other major offenses	48	-	17	11	19	1	-	-
Abortion	3	-	1	1	1	-	-	-
Arson	13	-	3	5	5	-	-	-
Bigamy	8	-	1	2	5	-	-	-
Blackmail and extortion	5	-	-	3	1	1	-	-
Escape and jail break	17	-	12	-	5	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	2	-	-	-	2	-	-	-
Other offenses:								
Minor assault	51	-	-	10	22	19	-	-
Nonsupport or neglect	21	-	1	12	8	-	-	-
Violating liquor laws	9	-	-	1	3	5	-	-
Driving while intoxicated	33	-	-	-	20	13	-	-
Other motor vehicle laws	98	-	2	10	24	62	-	-
Disorderly conduct and vagrancy	47	-	-	6	17	24	-	-
Gambling	158	-	-	4	64	90	-	-
All other offenses	71	-	6	21	22	22	-	-

*Statistics are for the year July 1 through June 30.

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DEPARTMENT OF COMMERCE
Bureau of the Census
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JUDICIAL CRIMINAL STATISTICS: 1938

DISTRICT OF COLUMBIA

Of the 1,788 defendants disposed of on charges of major crimes in the district court of the District of Columbia during 1938, nearly three-fourths, or 72.5 percent, were convicted. Pleas of guilty accounted for the great majority of the convictions and, in fact, for a majority of all dispositions, as 59.8 percent of all defendants disposed of plead guilty.

The principal method by which defendants were eliminated without conviction was through a dismissal of the charges, 18.3 percent of the cases being disposed of by this method. Slightly more than one-fifth of all the defendants (21.7 percent) were disposed of by means of trial in 1938, a slight increase over the 17.8 percent tried in 1937 and the 18.2 percent in 1936.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,788	100.0	1,720	100.0	1,846	100.0	1,684	100.0
Eliminated without conviction	492	27.5	412	24.0	490	26.5	444	26.4
Dismissed	327	18.3	301	17.5	392	21.2	315	18.7
Jury waived, acquitted by court ..	7	0.4	-	-	6	0.3	6	0.4
Acquitted by jury	154	8.6	105	6.1	92	5.0	123	7.3
Other no-penalty dispositions	4	0.2	6	0.3	-	-	-	-
Convicted	1,296	72.5	1,308	76.0	1,356	73.5	1,240	73.6
Plea of guilty	1,069	59.8	1,107	64.4	1,118	60.6	971	57.7
Court finds guilty	4	0.2	-	-	4	0.2	2	0.1
Jury verdict guilty	223	12.5	201	11.7	234	12.7	267	15.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,253	662	483	9	166	4	1,591	1,333	5	253
Major offenses, total ..	1,788	492	327	7	154	4	1,296	1,069	4	223
Murder	26	13	4	1	6	2	13	3	-	10
Manslaughter	57	13	5	-	8	-	44	32	-	12
Robbery	313	102	59	3	40	-	211	158	2	51
Aggravated assault	168	41	22	-	19	-	127	92	-	35
Larceny	317	45	27	-	16	2	272	238	1	33
Burglary	200	53	39	-	14	-	147	131	-	16
Auto theft	205	43	31	1	11	-	162	145	-	17
Embezzlement and fraud ..	164	88	70	1	15	-	78	74	-	4
Stolen property	51	21	17	1	3	-	30	21	-	9
Forgery	106	14	11	-	3	-	92	89	-	3
Peeping	72	30	16	-	14	-	42	27	-	15
Commercialized vice	6	2	2	-	-	-	4	2	-	2
Other sex offenses	2	1	1	-	-	-	1	-	1	-
Violating drug laws	71	18	16	-	2	-	53	43	-	10
Carrying weapons, etc.	-	-	-	-	-	-	-	-	-	-
Other major offenses	30	10	7	-	3	-	20	14	-	6
Abortion	10	4	2	-	2	-	6	5	-	1
Arson	8	3	3	-	-	-	5	5	-	-
Bigamy	2	-	-	-	-	-	2	1	-	1
Blackmail and extortion ..	5	3	2	-	1	-	2	1	-	1
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	5	-	-	-	-	-	5	2	-	3
Other offenses:										
Minor assault	17	1	-	-	1	-	16	11	-	5
Insupport or neglect	18	7	6	1	-	-	11	9	-	2
Violating liquor laws	60	22	21	-	1	-	38	34	-	4
Driving while intoxicated ..	-	-	-	-	-	-	-	-	-	-
Other motor vehicle laws ..	2	2	2	-	-	-	-	-	-	-
Disorderly conduct and ..	-	-	-	-	-	-	-	-	-	-
Drunkenness	-	-	-	-	-	-	-	-	-	-
Gambling	351	127	118	1	8	-	224	206	1	17
All other offenses	17	11	9	-	2	-	6	4	-	2

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in this court was burglary, followed in order of frequency by robbery, auto theft, and larceny. These four groups together accounted for 57.9 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938

approximately 60 percent of these defendants sentenced to prison or reformatory. A little over one-fourth (26.9 percent) were placed on probation or received a suspended sentence and 12.9 percent received jail sentences.

Table 4 shows the variety of sentences imposed on the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935
	Number	Percent	Number	Percent	Number	Percent	Number
Defendants sentenced	1,296	100.0	1,308	100.0	1,320	100.0	1,240
Death	1	0.1	4	0.3	1	0.1	4
Prison or reformatory	776	59.9	713	54.5	829	62.8	872
Probation or suspended sentence	349	26.9	451	34.5	285	21.6	281
Local jails	167	12.9	135	10.3	202	15.3	81
Fine or costs only	3	0.2	-	-	1	0.1	2
Juvenile institutions	-	-	5	0.4	2	0.2	-
Other sentences	-	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institution for juveniles delinquents only
All offenses	1,591	1	801	460	319	10	-
Major offenses, total	1,296	1	776	349	167	3	-
Murder	13	1	12	-	-	-	-
Manslaughter	44	-	39	-	4	1	-
Robbery	211	-	162	32	17	-	-
Aggravated assault	127	-	72	41	14	-	-
Burglary	272	-	191	66	15	-	-
Larceny, except auto theft	147	-	60	51	36	-	-
Auto theft	162	-	87	48	27	-	-
Embezzlement and fraud	78	-	27	31	18	2	-
Stolen property	30	-	9	15	6	-	-
Forgery	92	-	40	41	11	-	-
Rape	42	-	26	13	3	-	-
Commercialized vice	4	-	3	-	1	-	-
Other sex offenses	1	-	-	-	1	-	-
Violating drug laws	53	-	37	5	11	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-
Other major offenses	20	-	11	6	3	-	-
Abortion	6	-	4	2	-	-	-
Arson	5	-	1	1	3	-	-
Bigamy	2	-	1	1	-	-	-
Blackmail and extortion	2	-	1	1	-	-	-
Escape and jail break	-	-	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-
Perjury	5	-	4	1	-	-	-
Other offenses:							
Minor assault	16	-	-	4	12	-	-
Nonsupport or neglect	11	-	-	9	2	-	-
Violating liquor laws	38	-	7	7	23	1	-
Driving while intoxicated	-	-	-	-	-	-	-
Other motor vehicle laws	-	-	-	-	-	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-
Gambling	224	-	17	87	114	6	-
All other offenses	6	-	1	4	1	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

IDAHO

More defendants charged with major offenses were disposed of by the district courts of Idaho during the calendar year 1938 than in any of the three previous years. Table 1 presents the figures on defendants disposed of as reported by the clerk of court to the Bureau of the Census. Over one-fifths (83.1 percent) of all defendants disposed of were convicted, a percentage slightly less than that of 1937.

Dismissal of the charges was the most frequent method of elimination of defendants without conviction. As is usually the case, the great majority of convictions resulted from pleas of guilty, nearly three-fourths of all cases being disposed of by this means. Only about one defendant in each seven (13.7 percent) defendants charged with major offenses was disposed of by means of a court or jury trial.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	510	100.0	432	100.0	449	100.0	453	100.0
Eliminated without conviction	86	16.9	55	12.7	77	17.1	92	20.3
Dismissed	65	12.7	36	8.3	53	11.8	67	14.8
Jury waived, acquitted by court ..	6	1.2	1	0.2	3	0.7	1	0.2
Acquitted by jury	13	2.5	15	3.5	17	3.8	16	3.5
Other no-penalty dispositions	2	0.4	3	0.7	4	0.9	8	1.8
Convicted	424	83.1	377	87.3	372	82.9	361	79.7
Plea of guilty	373	73.1	320	74.1	327	72.8	313	69.1
Court finds guilty	18	3.5	11	2.5	10	2.2	11	2.4
Jury verdict guilty	33	6.5	46	10.6	35	7.8	37	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	602	128	97	6	14	11	474	405	30	39
Major offenses, total ..	510	86	65	6	13	2	424	373	18	33
Murder	10	5	2	-	3	-	5	1	-	4
Involuntary manslaughter	10	4	3	-	1	-	6	2	-	4
Voluntary manslaughter	23	5	5	-	-	-	18	15	-	3
Aggravated assault	21	3	2	-	1	-	18	11	-	7
Burglary	133	15	12	2	1	-	118	111	5	2
Larceny, except auto theft	71	13	10	-	2	1	58	48	4	6
Auto theft	18	-	-	-	-	-	18	17	1	-
Embezzlement and fraud	33	15	12	3	-	-	18	17	1	-
False personation	13	2	1	-	1	-	11	10	-	1
Forgery	131	9	7	-	1	1	122	117	4	1
Perjury	17	6	3	-	3	-	11	8	-	3
Commercialized vice	1	-	-	-	-	-	1	1	-	-
Unlawful sexual offenses	13	3	3	-	-	-	10	8	-	2
Violating drug laws	3	-	-	-	-	-	3	1	2	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-	-	-
Unlawful major offenses	13	6	5	1	-	-	7	6	1	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	1	-	-	-	-	-	1	1	-	-
Bigamy	3	-	-	-	-	-	3	2	1	-
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	3	-	-	-	-	-	3	3	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	6	6	5	1	-	-	-	-	-	-
Other offenses:										
Minor assault	7	4	4	-	-	-	3	3	-	-
Insupport or neglect	15	11	10	-	-	1	4	3	1	-
Violating liquor laws	18	4	2	-	-	2	14	8	2	4
Driving while intoxicated ..	12	6	6	-	-	-	6	5	-	1
Unlawful motor vehicle laws ..	10	6	5	-	1	-	4	2	2	-
Disorderly conduct and vagrancy	16	7	3	-	-	4	9	2	6	1
Drunk driving	-	-	-	-	-	-	-	-	-	-
Other offenses	14	4	2	-	-	2	10	9	1	-

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by forgery, larceny, and embezzlement and fraud. These four groups accounted for over 70 percent of all of the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. There was a

slight increase in the proportion of defendants sentenced to prison in 1938. Less than one-fourth of those convicted received probation or a suspended sentence, and less than one-fifth were given jail sentences.

The variety of sentences used for the same general classes of offenses will be observed in table 4. In interpreting these data, however, it must be remembered that several of these classes of offenses include charges of widely varying degree of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	424	100.0	377	100.0	372	100.0	360	100.0
Death	-	-	1	0.3	-	-	-	-
Prison or reformatory	241	56.8	197	52.3	199	53.5	182	50.8
Probation or suspended sentence	94	22.2	90	23.9	90	24.2	109	30.3
Local jails	78	18.4	81	21.5	64	17.2	53	14.7
Fine or costs only	2	0.5	2	0.5	3	0.8	7	1.9
Juvenile institutions	9	2.1	6	1.6	5	1.3	9	2.5
Other sentences	-	-	-	-	11	3.0	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles only	Other
All offenses	474	-	259	102	93	11	9	-
Major offenses, total	424	-	241	94	78	2	9	-
Murder	5	-	5	-	-	-	-	-
Manslaughter	6	-	3	3	-	-	-	-
Robbery	18	-	12	-	6	-	-	-
Aggravated assault	18	-	7	2	9	-	-	-
Burglary	118	-	73	28	14	-	3	-
Larceny, except auto theft	58	-	29	16	11	1	1	-
Auto theft	18	-	8	5	2	-	3	-
Embezzlement and fraud	18	-	10	6	2	-	-	-
Stolen property	11	-	5	4	2	-	-	-
Forgery	122	-	73	28	20	1	-	-
Rape	11	-	8	-	1	-	2	-
Commercialized vice	1	-	-	-	1	-	-	-
Other sex offenses	10	-	3	2	5	-	-	-
Violating drug laws	3	-	2	-	1	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	7	-	3	-	4	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	1	-	-	-	1	-	-	-
Bigamy	3	-	-	-	3	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	3	-	3	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	3	-	2	-	1	-	-	-
Nonsupport or neglect	4	-	-	1	2	1	-	-
Violating liquor laws	14	-	7	-	5	2	-	-
Driving while intoxicated	6	-	2	3	1	-	-	-
Other motor vehicle laws	4	-	2	-	-	2	-	-
Disorderly conduct and vagrancy	9	-	1	1	6	1	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	10	-	4	3	-	3	-	-

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DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

INDIANA

There was an increase in the proportion of convictions of defendants disposed of on major offense charges in the trial courts of Indiana in 1938 as compared with 1937 according to reports furnished to the Bureau of the Census by the clerks of the various courts. Table 1 shows the disposition of defendants in the trial courts of the State for each of the past two years. The reports received for the year 1937, on the basis of

the 1930 population, covered 99.1 percent of the State but only 73.6 percent for the year 1938.

The 1938 data indicate an increase in the use of pleas of guilty and a decrease in the proportion of defendants disposed of by means of trial as compared with 1937. There was also a decrease during the last year in the proportion of defendants who were eliminated by means of dismissal.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937	
	Number	Percent	Number	Percent
Defendants disposed of	3,932	100.0	5,068	100.0
Eliminated without conviction	1,417	36.0	2,163	42.7
Dismissed	1,210	30.8	1,774	35.0
Jury waived, acquitted by court ..	100	2.5	185	3.7
Acquitted by jury	39	1.0	86	1.7
Other no-penalty dispositions	68	1.7	118	2.3
Convicted	2,515	64.0	2,905	57.3
Plea of guilty	2,110	53.7	2,103	41.5
Court finds guilty	288	7.3	629	12.4
Jury verdict guilty	117	3.0	173	3.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF INDIANA, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	6,952	2,815	2,438	191	61	125	4,137	3,486	496	155
Major offenses, total ..	3,932	1,417	1,210	100	39	68	2,515	2,110	288	117
Murder	37	19	12	1	3	3	18	1	2	15
Manslaughter	50	27	19	1	7	-	23	16	1	6
Robbery	250	92	65	22	1	4	158	122	34	2
Aggravated assault	210	115	100	7	3	5	95	62	19	14
Burglary	562	158	130	14	3	11	404	357	39	8
Larceny, except auto theft ..	1,243	328	276	20	7	25	915	785	99	31
Auto theft	311	79	73	4	-	2	232	203	25	4
Embezzlement and fraud ...	388	233	221	5	3	4	155	140	11	4
Stolen property	130	58	45	9	2	2	72	64	4	4
Forgery	306	110	100	5	2	3	196	177	13	6
Rape	168	105	87	7	7	4	63	44	9	10
Commercialized vice	8	2	1	-	-	1	6	3	1	2
Other sex offenses	114	40	35	-	1	4	74	47	20	7
Violating drug laws	5	1	1	-	-	-	4	4	-	-
Carrying weapons, etc. ...	62	22	19	3	-	-	40	34	5	1
Other major offenses	88	28	26	2	-	-	60	51	6	3
Abortion	3	2	2	-	-	-	1	1	-	-
Arson	17	4	4	-	-	-	13	6	5	2
Bigamy	10	5	4	1	-	-	5	5	-	-
Blackmail and extortion ..	9	4	4	-	-	-	5	5	-	-
Escape and jail break ..	32	2	2	-	-	-	30	30	-	-
Kidnaping	8	7	6	1	-	-	1	-	1	-
Perjury	9	4	4	-	-	-	5	4	-	1
Other offenses:										
Minor assault	310	150	125	14	4	7	160	126	27	7
Nonsupport or neglect	777	528	505	14	-	9	249	187	59	3
Violating liquor laws	457	148	126	7	2	13	309	264	30	15
Driving while intoxicated ..	366	106	72	20	4	10	260	225	31	4
Other motor vehicle laws ..	169	74	63	6	2	3	95	84	11	-
Disorderly conduct and vagrancy	325	82	68	8	3	3	243	234	8	1
Gambling	92	12	11	-	1	-	80	75	2	3
All other offenses	524	298	258	22	6	12	226	181	40	5

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary, embezzlement and fraud, auto theft, and forgery. These five groups together accounted for 71.5 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for both 1937 and 1938 in table 3. There was a slight decrease in the use of prison and reformatory sentences and a slight increase in the use of proba-

tion in 1938 as compared with 1937. In 1938, 55.2 percent of these defendants were sentenced to prison or reformatory, 29.0 percent were placed on probation or received suspended sentences, 8.9 percent were given jail sentences, and 5.3 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937	
	Number	Percent	Number	Percent
Defendants sentenced	2,515	100.0	2,905	100.0
Death	4	0.2	9	0.3
Prison or reformatory	1,388	55.2	1,734	59.7
Probation or suspended sentence	730	29.0	677	23.3
Local jails	224	8.9	302	10.4
Fine or costs only	134	5.3	150	5.2
Juvenile institutions	35	1.4	33	1.1
Other sentences	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF INDIANA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	4,137	4	1,652	1,164	467	770	54	26
Major offenses, total	2,515	4	1,388	730	224	134	35	-
Murder	18	4	14	-	-	-	-	-
Manslaughter	23	-	18	5	-	-	-	-
Robbery	158	-	107	44	-	7	-	-
Aggravated assault	95	-	49	27	7	11	1	-
Burglary	404	-	290	96	13	1	4	-
Larceny, except auto theft	915	-	442	289	124	51	9	-
Auto theft	232	-	113	82	25	6	6	-
Embezzlement and fraud	155	-	63	57	16	19	-	-
Stolen property	72	-	18	30	15	9	-	-
Forgery	196	-	135	49	7	4	1	-
Rape	63	-	54	5	1	3	-	-
Commercialized vice	6	-	1	2	-	3	-	-
Other sex offenses	74	-	31	18	9	3	13	-
Violating drug laws	4	-	2	1	1	-	-	-
Carrying weapons, etc.	40	-	6	15	3	16	-	-
Other major offenses	60	-	45	10	3	1	1	-
Abortion	1	-	1	-	-	-	-	-
Arson	13	-	9	-	3	-	1	-
Bizamy	5	-	3	1	-	1	-	-
Blackmail and extortion	5	-	1	4	-	-	-	-
Escape and jail break	30	-	28	2	-	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Perjury	5	-	2	3	-	-	-	-
Other offenses:								
Minor assault	160	-	20	35	42	63	-	-
Monsupport or neglect	249	-	31	176	15	26	-	1
Violating liquor laws	309	-	45	90	52	122	-	-
Driving while intoxicated	260	-	56	21	42	116	-	25
Other motor vehicle laws	95	-	17	19	18	41	-	-
Disorderly conduct and vagrancy	243	-	46	22	53	122	-	-
Gambling	80	-	3	3	2	72	-	-
All other offenses	226	-	46	68	19	74	19	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

IOWA

Approximately four-fifths (79.8 percent) of the defendants disposed of on major criminal charges in the district courts of Iowa during 1938 were convicted, the remainder being eliminated without conviction. Very little difference is to be noted between the dispositions reported for 1938 and those reported for 1937.

Table 1 shows the disposition of defendants in the district courts of the State for each of the past four years. On the basis of the 1930 population, the reports received from the courts covered 84.8 percent of the State in 1935, 62.5 percent in 1936, 65.7 percent in 1937, and 77.5 percent in 1938.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,641	100.0	1,572	100.0	1,352	100.0	2,109	100.0
Eliminated without conviction	332	20.2	348	22.1	366	27.1	532	25.2
Dismissed	289	17.6	308	19.6	327	24.2	443	21.0
Jury waived, acquitted by court ..	10	0.6	2	0.1	2	0.1	-	-
Acquitted by jury	32	2.0	30	1.9	26	1.9	67	3.2
Other no-penalty dispositions	1	0.1	8	0.5	11	0.8	22	1.0
Convicted	1,309	79.8	1,224	77.9	986	72.9	1,577	74.8
Plea of guilty	1,225	74.6	1,146	72.9	925	68.4	1,429	67.8
Court finds guilty	31	1.9	26	1.7	16	1.2	27	1.3
Jury verdict guilty	53	3.2	52	3.3	45	3.3	121	5.7

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IOWA,
BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,973	659	570	20	66	3	2,314	2,171	57	86
Major offenses, total ..	1,641	332	289	10	32	1	1,309	1,225	31	53
Murder	20	7	4	-	3	-	13	10	-	3
Manslaughter	18	6	5	-	1	-	12	7	-	5
Robbery	53	8	8	-	-	-	45	39	1	5
Aggravated assault	71	28	22	2	4	-	43	35	2	6
Burglary	203	38	34	-	4	-	165	162	3	-
Larceny, except auto theft ..	492	65	56	4	5	-	427	402	12	13
Auto theft	107	14	11	-	3	-	93	92	-	1
Embezzlement and fraud ...	146	61	59	1	1	-	85	80	2	3
Stolen property	45	5	5	-	-	-	40	34	3	3
Forgery	221	41	37	1	3	-	180	171	4	5
Rape	36	14	9	1	4	-	22	20	1	1
Commercialized vice	7	-	-	-	-	-	7	7	-	-
Other sex offenses	126	31	27	1	3	-	95	88	3	4
Violating drug laws	13	-	-	-	-	-	13	13	-	-
Carrying weapons, etc. ...	19	2	2	-	-	-	17	16	-	1
Other major offenses	64	12	10	-	1	1	52	49	-	3
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	8	3	3	-	-	-	5	4	-	1
Bigamy	4	2	2	-	-	-	2	1	-	1
Blackmail and extortion ..	1	1	1	-	-	-	-	-	-	-
Escape and jail break ...	45	4	3	-	-	1	41	40	-	1
Kidnaping	1	1	1	-	-	-	-	-	-	-
Perjury	5	1	-	-	1	-	4	4	-	-
Other offenses:										
Minor assault	37	12	12	-	-	-	25	24	-	1
Nonsupport or neglect	101	41	37	2	2	-	60	58	1	1
Violating liquor laws	177	58	55	1	2	-	119	107	8	4
Driving while intoxicated ..	689	121	92	4	23	2	568	543	5	20
Other motor vehicle laws ..	48	8	6	-	2	-	40	40	-	-
Disorderly conduct and vagrancy	62	10	8	1	1	-	52	52	-	-
Gambling	33	8	8	-	-	-	25	21	4	-
All other offenses	185	69	63	2	4	-	116	101	8	7

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order by forgery, burglary, and embezzlement and fraud. These four groups together accounted for 64.7 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, there was one death sentence pronounced, 44.1 percent of

those convicted were sentenced to prison or reformatory, 15.7 percent were placed on probation or received a suspended sentence, one-third were sentenced to jail, and the remainder were either fined or committed to juvenile institutions.

Table 4 shows the variety of sentences used in the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offense include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,309	100.0	1,224	100.0	983	100.0	1,570	100.0
Death	1	0.1	1	0.1	2	0.2	1	0.1
Prison or reformatory	577	44.1	526	43.0	408	41.5	645	41.1
Probation or suspended sentence	206	15.7	187	15.3	229	23.3	367	23.4
Local jails	441	33.7	455	37.2	295	30.0	471	30.0
Fine or costs only	61	4.7	44	3.6	41	4.2	67	4.3
Juvenile institutions	23	1.8	11	0.9	8	0.8	16	1.0
Other sentences	-	-	-	-	-	-	3	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IOWA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	2,314	1	656	401	812	411	32	1
Major offenses, total	1,309	1	577	206	441	61	23	-
Murder	13	1	12	-	-	-	-	-
Manslaughter	12	-	11	1	-	-	-	-
Robbery	45	-	44	-	-	1	-	-
Aggravated assault	43	-	19	8	13	3	-	-
Burglary	165	-	75	34	44	6	6	-
Larceny, except auto theft	427	-	160	69	180	13	5	-
Auto theft	93	-	46	16	23	4	4	-
Embezzlement and fraud	85	-	22	20	36	7	-	-
Stolen property	40	-	14	3	18	2	3	-
Forgery	180	-	67	29	71	10	3	-
Rape	22	-	20	-	2	-	-	-
Commercialized vice	7	-	6	-	1	-	-	-
Other sex offenses	95	-	38	16	33	8	-	-
Violating drug laws	13	-	1	1	9	2	-	-
Carrying weapons, etc.	17	-	4	2	9	2	-	-
Other major offenses	52	-	38	7	2	3	2	-
Abortion	-	-	-	-	-	-	-	-
Arson	5	-	3	2	-	-	-	-
Bribery	2	-	-	-	2	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	41	-	33	3	-	3	2	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	4	-	2	2	-	-	-	-
Other offenses:								
Minor assault	25	-	5	2	16	2	-	-
Nonsupport or neglect	60	-	9	42	9	-	-	-
Violating liquor laws	119	-	6	17	50	45	-	1
Driving while intoxicated	568	-	13	61	246	247	1	-
Other motor vehicle laws	40	-	9	13	11	7	-	-
Disorderly conduct and vagrancy	52	-	1	43	6	2	-	-
Gambling	25	-	-	2	2	21	-	-
All other offenses	116	-	36	15	31	26	8	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

KANSAS

Fewer defendants charged with major offenses are disposed of by the district courts of Kansas in 1938 than in 1937. The figures in table 1, showing the dispositions reported by the clerks of court to the Bureau of the Census for the past four years, indicate that the number of defendants charged with major offenses and disposed of by the district courts has steadily decreased each year.

Nearly four-fifths (78.0 percent) of all defendants disposed of were convicted, a percentage which is higher than in any of the three previous years. In contrast, it will be noted that the proportion of defendants eliminated by dismissal was lower in 1938 than in any of the other years shown. As usual, most convictions resulted from a plea of guilty, approximately two-thirds of all cases being disposed of by this means.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,658	100.0	1,793	100.0	1,842	100.0	2,110	100.0
Eliminated without conviction	364	22.0	452	25.2	464	25.2	559	26.5
Dismissed	265	16.0	380	21.2	374	20.3	417	19.8
Jury waived, acquitted by court ..	20	1.2	3	0.2	2	0.1	6	0.3
Acquitted by jury	61	3.7	54	3.0	61	3.3	109	5.2
Other no-penalty dispositions	18	1.1	15	0.8	27	1.5	27	1.3
Convicted	1,294	78.0	1,341	74.8	1,378	74.8	1,551	73.5
Plea of guilty	1,093	65.9	1,164	64.9	1,205	65.4	1,311	62.1
Court finds guilty	37	2.2	20	1.1	7	0.4	26	1.2
Jury verdict guilty	164	9.9	157	8.8	166	9.0	214	10.1

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,458	712	559	31	94	28	1,746	1,478	55	213
Major offenses, total ..	1,658	364	265	20	61	18	1,294	1,093	37	164
Murder	40	9	3	-	5	1	31	13	-	18
Involuntary manslaughter	27	9	4	-	5	-	18	10	-	8
Larceny	78	25	21	-	4	-	53	44	3	6
Aggravated assault	71	31	24	2	5	-	40	27	1	12
Arson	270	45	32	3	9	1	225	198	5	22
Larceny, except auto theft ..	525	76	49	8	15	4	449	399	7	43
Auto theft	95	17	15	-	2	-	78	69	3	6
Embezzlement and fraud ...	124	51	34	3	4	10	73	57	1	15
Stolen property	33	9	8	-	1	-	24	16	4	4
Surgery	199	39	34	4	1	-	160	141	11	8
Rape	89	32	26	-	5	1	57	42	-	15
Commercialized vice	5	-	-	-	-	-	5	5	-	-
Other sex offenses	23	4	4	-	-	-	19	18	-	1
Violating drug laws	19	2	1	-	1	-	17	16	-	1
Carrying weapons, etc.	5	2	2	-	-	-	3	2	-	1
Other major offenses	55	13	8	-	4	1	42	36	2	4
Abortion	1	1	1	-	-	-	-	-	-	-
Arson	24	8	3	-	4	1	16	15	1	-
Bigamy	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion ..	2	-	-	-	-	-	2	-	-	2
Escape and jail break ..	19	1	1	-	-	-	18	17	1	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	5	2	2	-	-	-	3	1	-	2
Other offenses:										
Minor assault	43	21	14	-	7	-	22	18	-	4
Insupport or neglect	116	62	55	1	2	4	54	52	2	-
Violating liquor laws	391	138	115	2	15	6	253	215	6	32
Driving while intoxicated ..	82	29	24	-	5	-	53	48	2	3
Other motor vehicle laws ..	25	13	11	1	1	-	12	9	1	2
Disorderly conduct and vagrancy	40	17	17	-	-	-	23	18	1	4
Gambling	11	2	2	-	-	-	9	8	-	1
All other offenses	92	66	56	7	3	-	26	17	6	3

(OVER)

While the proportion of defendants disposed of by means of trial is relatively small, there was an increase in this method of disposition in 1938 over the previous years. The percentage disposed of by either court or jury trial in 1938 was 17.0, as compared with 13.1 in 1937, 12.8 in 1936, and 16.8 in 1935.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order by burglary, forgery, and embezzlement and fraud. In fact, these four groups account for approximately two-thirds of all of the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938 there was a marked increase in the proportion of defendants sentenced to prisons or reformatories and decrease in the use of probation as compared with former years. More than three-fourths of the convicted were given prison sentences, while only 9.0 percent were placed on probation, 8.5 percent given jail sentences, and 4.1 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,294	100.0	1,341	100.0	1,371	100.0	1,545	100.0
Death	-	-	1	0.1	1	0.1	-	-
Prison or reformatory	1,009	78.0	961	71.7	1,014	74.0	1,066	69.0
Probation or suspended sentence	117	9.0	203	15.1	198	14.4	243	15.8
Local jails	110	8.5	158	11.8	128	9.3	187	12.2
Fine or costs only	53	4.1	16	1.2	25	1.8	45	2.9
Juvenile institutions	4	0.3	2	0.1	-	-	-	-
Other sentences	1	0.1	-	-	5	0.4	4	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,746	-	1,072	175	286	208	4	-
Major offenses, total	1,294	-	1,009	117	110	53	4	-
Murder	31	-	31	-	-	-	-	-
Manslaughter	18	-	14	-	4	-	-	-
Robbery	53	-	49	4	-	-	-	-
Aggravated assault	40	-	26	2	7	5	-	-
Burglary	225	-	216	6	-	-	3	-
Larceny, except auto theft	449	-	301	56	66	26	-	-
Auto theft	78	-	65	4	9	-	-	-
Embezzlement and fraud	73	-	51	10	2	9	-	-
Stolen property	24	-	18	2	4	-	-	-
Forgery	160	-	132	18	6	4	-	-
Rape	57	-	48	8	1	-	-	-
Commercialized vice	5	-	1	-	-	4	-	-
Other sex offenses	19	-	13	1	4	1	-	-
Violating drug laws	17	-	13	4	-	-	-	-
Carrying weapons, etc.	3	-	-	1	1	1	-	-
Other major offenses	42	-	31	1	6	3	1	-
Abortion	-	-	-	-	-	-	-	-
Arson	16	-	10	-	4	1	1	-
Bigamy	3	-	2	1	-	-	-	-
Blackmail and extortion	2	-	-	-	-	2	-	-
Escape and jail break	18	-	16	-	2	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	3	-	3	-	-	-	-	-
Other offenses:								
Minor assault	22	-	-	4	15	3	-	-
Nonsupport or neglect	54	-	24	29	-	1	-	-
Violating liquor laws	253	-	31	15	106	101	-	-
Driving while intoxicated	53	-	1	2	23	27	-	-
Other motor vehicle laws	12	-	-	-	1	11	-	-
Disorderly conduct and vagrancy	23	-	-	4	14	5	-	-
Gambling	9	-	-	-	5	4	-	-
All other offenses	26	-	7	4	12	3	-	-

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JUDICIAL CRIMINAL STATISTICS: 1938

MASSACHUSETTS

There was a slight decrease in the percentage of convictions resulting from charges of major crimes in the superior courts of Massachusetts in 1938 as compared with the two previous years. This decrease, however, is small and is accounted for chiefly by a decrease in the proportion of defendants pleading guilty and an increase in the proportion dismissed.

About one-seventh of those charged with major offenses were dismissed in 1938. Approximately two out of every three defendants (66.2 percent) plead guilty. Court and jury trials accounted for only 19.4 percent of all dispositions. This was a very slight decrease in the proportion of defendants tried as compared with the three previous years.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	3,085	100.0	3,044	100.0	2,891	100.0	3,570	100.0
Eliminated without conviction	692	22.4	515	16.9	578	20.0	806	22.6
Dismissed	441	14.3	304	10.0	312	10.8	476	13.3
Jury waived, acquitted by court ..	109	3.5	66	2.2	45	1.6	40	1.1
Acquitted by jury	139	4.5	145	4.8	221	7.6	290	8.1
Other no-penalty dispositions	3	0.1	-	-	-	-	-	-
Convicted	2,393	77.6	2,529	83.1	2,313	80.0	2,764	77.4
Plea of guilty	2,041	66.2	2,129	69.9	1,981	68.5	2,352	65.9
Court finds guilty	137	4.4	76	2.5	64	2.2	36	1.0
Jury verdict guilty	215	7.0	324	10.6	268	9.3	376	10.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF MASSACHUSETTS, BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	3,701	977	693	120	161	3	2,724	2,299	165	260
Major offenses, total ..	3,085	692	441	109	139	3	2,393	2,041	137	215
Murder	25	10	7	1	2	-	15	10	-	5
Manslaughter	24	9	5	2	2	-	15	9	2	4
Robbery	368	130	83	15	31	1	238	192	10	36
Aggravated assault	98	24	15	1	8	-	74	56	6	12
Burglary	986	118	76	12	30	-	868	802	25	41
Larceny, except auto theft ..	*728	244	165	53	26	-	484	396	48	40
Auto theft	190	29	21	3	5	-	161	145	4	12
Embezzlement and fraud ...	(*)									
Stolen property	71	14	10	2	2	-	57	52	1	4
Forgery	46	8	8	-	-	-	38	38	-	-
Rape	234	38	17	10	10	1	196	139	23	34
Commercialized vice	8	4	4	-	-	-	4	4	-	-
Other sex offenses	109	11	4	5	2	-	98	78	9	11
Violating drug laws	14	2	2	-	-	-	12	11	-	1
Carrying weapons, etc. ...	55	6	4	-	2	-	49	40	5	4
Other major offenses	129	45	20	5	19	1	84	69	4	11
Abortion	28	4	2	-	1	1	24	20	2	2
Arson	49	26	10	-	16	-	23	16	-	7
Bigamy	10	1	1	-	-	-	9	8	1	-
Blackmail and extortion ..	3	2	-	2	-	-	1	1	-	-
Escape and jail break ..	10	-	-	-	-	-	10	8	1	1
Kidnaping	9	3	2	1	-	-	6	6	-	-
Perjury	20	9	5	2	2	-	11	10	-	1
Other offenses:										
Minor assault	94	18	11	2	5	-	76	51	10	15
Nonsupport or neglect	283	168	164	3	1	-	115	103	7	5
Violating liquor laws	2	2	2	-	-	-	-	-	-	-
Driving while intoxicated ..	24	5	2	1	2	-	19	14	1	4
Other motor vehicle laws ..	87	13	3	3	7	-	74	51	6	17
Disorderly conduct and vagrancy	5	-	-	-	-	-	5	3	1	1
Gambling	10	6	6	-	-	-	4	4	-	-
All other offenses	111	73	64	2	7	-	38	32	3	3

*Larceny, except auto theft, includes embezzlement and fraud.

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny, robbery, and rape. These four offense groups together accounted for 75.1 percent of the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. Slightly more than one-fourth of all convicted defendants were sentenced to prison or reformatory, over one-third were placed on probation or given a suspended sentence, and one-fourth received jail sentences. In

addition, 11.2 percent were reported as being "placed on file after conviction." This classification, which is also shown in table 4, is limited only to the State of Massachusetts and in comparing Massachusetts data with those reported from other States these defendants should be included with those placed on probation or given a suspended sentence.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,393	100.0	2,529	100.0	2,313	100.0	2,764	100.0
Death	1	(*)	1	(*)	1	(*)	4	0.1
Prison or reformatory	644	26.9	774	30.6	714	30.9	695	25.1
Probation or suspended sentence	854	35.7	736	29.1	721	31.2	941	34.0
Local jails	609	25.4	695	27.5	531	23.0	700	25.3
Fine or costs only	17	0.7	24	0.9	46	2.0	12	0.4
Juvenile institutions	-	-	-	-	-	-	-	-
On file after conviction	268	11.2	299	11.8	300	13.0	412	14.9

*Percent not shown where less than 0.1.

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF MASSACHUSETTS, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles only	On file after conviction
All offenses	2,724	1	663	989	699	59	-	313
Major offenses, total	2,393	1	644	854	609	17	-	268
Murder	15	1	14	-	-	-	-	-
Manslaughter	15	-	9	-	6	-	-	-
Robbery	238	-	147	39	36	-	-	16
Aggravated assault	74	-	24	15	25	3	-	7
Burglary	868	-	196	422	187	1	-	62
Larceny, except auto theft	*484	-	57	172	131	4	-	120
Auto theft	161	-	64	52	34	1	-	10
Embezzlement and fraud	(*)	-	-	-	-	-	-	-
Stolen property	57	-	4	23	22	2	-	6
Forgery	38	-	3	8	25	-	-	2
Rape	196	-	63	44	70	-	-	19
Commercialized vice	4	-	2	1	-	-	-	1
Other sex offenses	98	-	24	36	25	2	-	11
Violating drug laws	12	-	4	1	6	-	-	1
Carrying weapon, etc.	49	-	5	14	19	2	-	9
Other major offenses	84	-	28	27	23	2	-	4
Abortion	24	-	5	9	9	-	-	1
Arson	23	-	5	13	3	-	-	2
Bigamy	9	-	2	1	6	-	-	-
Blackmail and extortion	1	-	-	1	-	-	-	-
Escape and jail break	10	-	5	-	5	-	-	-
Kidnaping	6	-	5	1	-	-	-	-
Perjury	11	-	6	2	-	2	-	1
Other offenses:								
Minor assault	76	-	-	22	36	4	-	14
Nonsupport or neglect	115	-	10	83	16	1	-	5
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	19	-	-	1	5	13	-	-
Other motor vehicle laws	74	-	3	11	32	17	-	11
Disorderly conduct and vagrancy	5	-	1	-	1	-	-	3
Gambling	4	-	-	-	-	3	-	1
All other offenses	38	-	5	18	-	4	-	11

*Larceny, except auto theft, includes embezzlement and fraud.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

MICHIGAN

A new method of collecting judicial criminal statistics was adopted by the Department of Corrections of Michigan for the calendar year 1938. Individual case reports were obtained from all prosecutors for each defendant prosecuted for criminal offenses. From these, a summary of the dispositions made in the circuit courts of the 83 counties, the Superior Court of Grand Rapids, and the Recorder's Court of Detroit were compiled for the Bureau of the Census in accordance with its

standard classifications of dispositions, offenses, and sentences.

All courts disposing of felony cases in Michigan were included in the 1938 statistics. In 1937, the statistics covered courts having jurisdiction over territory representing, on the basis of the 1930 population, 98.4 percent of the State. On the same basis, the 1936 statistics covered 60.5 percent of the State and the 1935 data 61.0 percent.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	4,623	100.0	4,723	100.0	2,624	100.0	2,693	100.0
Eliminated without conviction	949	20.5	822	17.4	424	16.2	434	16.1
Dismissed	518	11.2	467	9.9	292	11.1	291	10.8
Jury waived, acquitted by court ..	130	2.8	73	1.5	17	0.6	16	0.6
Acquitted by jury	78	1.7	224	4.7	80	3.0	90	3.3
Other no-penalty dispositions	223	4.8	58	1.2	35	1.3	37	1.4
Convicted	3,674	79.5	3,901	82.6	2,200	83.8	2,259	83.9
Plea of guilty	2,987	64.6	3,092	65.5	1,821	69.4	1,994	74.0
Court finds guilty	379	8.2	241	5.1	92	3.5	44	1.6
Jury verdict guilty	308	6.7	568	12.0	287	10.9	221	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	6,046	1,407	836	165	90	316	4,639	3,818	448	373
Major offenses, total ..	4,623	949	518	130	78	223	3,674	2,987	379	308
Murder	40	8	2	-	2	4	32	16	1	15
Manslaughter	137	71	49	3	14	5	66	41	8	17
Robbery	378	82	24	29	15	14	296	222	35	39
Aggravated assault	258	82	68	2	2	10	176	114	31	31
Burglary	1,155	112	64	18	8	22	1,043	897	83	63
Larceny, except auto theft ..	693	109	56	11	7	35	584	499	51	34
Auto theft	409	57	28	5	4	20	352	320	21	11
Embezzlement and fraud ...	308	114	77	9	3	25	194	159	22	13
Intolsn property	73	16	9	1	-	6	57	46	7	4
Forgery	229	26	15	2	1	8	203	188	10	5
Rape	228	86	36	5	13	32	142	92	21	29
Commercialized vice	58	17	7	8	-	2	41	22	13	6
Other sex offenses	352	90	38	16	9	27	262	193	41	28
Violating drug laws	21	5	3	2	-	-	16	11	4	1
Carrying weapons, etc.	141	24	12	9	-	3	117	83	26	8
Other major offenses	143	50	30	10	-	10	93	84	5	4
Abortion	14	5	3	1	-	1	9	6	1	2
Arson	23	9	5	3	-	1	14	11	1	-
Bigamy	18	3	1	-	-	2	15	14	1	-
Blackmail and extortion ..	11	8	2	6	-	-	3	3	-	-
Escape and jail break ..	51	16	14	-	-	2	35	34	1	-
Kidnaping	6	-	-	-	-	-	6	6	-	-
Perjury	20	9	5	-	-	4	11	10	1	-
Other offenses:										
Minor assault	54	20	16	-	1	3	34	20	5	9
Insupport or neglect	178	62	26	4	-	32	116	99	10	7
Violating liquor laws	175	66	41	5	1	19	109	87	8	14
Driving while intoxicated ..	26	3	1	-	1	1	23	17	3	3
Other motor vehicle laws ..	48	11	6	1	2	2	37	32	-	5
Disorderly conduct and ..										
vagrancy	99	3	1	1	-	1	96	91	3	2
Gambling	257	46	35	8	-	3	211	195	15	1
All other offenses	586	247	192	16	7	32	339	290	25	24

(OVER)

The procedural outcome of cases against defendants charged with major offenses, shown in table 1, indicates that although there has been some decrease in the proportion convicted during the last four years, nevertheless, approximately four-fifths of those charged were convicted each year.

In 1938 there was a decided increase in the proportion of cases which were tried by the court after waiver of jury. Of the total dispositions, 11.0 percent were by this method, while only 8.4 percent were disposed of by jury trial. This is the first year in which the number of trials by court has exceeded the number of trials by jury.

From the detailed figures in table 2, showing the number of cases and their disposition for each offense group, it appears that the most frequent charge made against defendants disposed of by these Michigan courts during 1938 was burglary.

The type of sentence imposed on those convicted of major offenses is shown for each of the past four years in table 3. In 1938 approximately half of those convicted were sentenced to prison, over one-third were given probation or a suspended sentence, and the remainder received jail sentences or were fined. These proportions are quite similar to those shown for the three previous years, although there appears to be a slight decrease in the use of probation and suspended sentence and a corresponding increase in the use of jail sentences during the last two years.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	3,674	100.0	3,901	100.0	2,189	100.0	2,257	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	1,786	48.6	1,856	47.6	1,109	50.7	1,154	51.1
Probation or suspended sentence	1,293	35.2	1,463	37.5	835	38.1	818	36.2
Local jails	472	12.8	458	11.7	160	7.3	207	9.2
Fine or costs only	123	3.3	123	3.2	85	3.9	76	3.4
Juvenile institutions	-	-	1	-	-	-	-	-
Other sentences	-	-	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	4,639	-	1,910	1,760	582	387	-	-
Major offenses, total	3,674	-	1,786	1,293	472	123	-	-
Murder	32	-	32	-	-	-	-	-
Manslaughter	66	-	29	25	8	4	-	-
Robbery	296	-	257	22	17	-	-	-
Aggravated assault	176	-	92	47	29	8	-	-
Burglary	1,043	-	456	432	141	14	-	-
Larceny, except auto theft	584	-	221	230	103	30	-	-
Auto theft	352	-	160	148	43	1	-	-
Embezzlement and fraud	194	-	63	79	21	31	-	-
Stolen property	57	-	12	27	10	8	-	-
Forgery	203	-	105	76	16	6	-	-
Repe	142	-	103	27	8	4	-	-
Commercialized vice	41	-	17	7	9	8	-	-
Other sex offenses	262	-	126	89	43	4	-	-
Violating drug laws	16	-	11	4	1	-	-	-
Carrying weapons, etc.	117	-	51	53	10	3	-	-
Other major offenses	93	-	51	27	13	2	-	-
Abortion	9	-	1	3	4	1	-	-
Arson	14	-	5	6	3	-	-	-
Bribery	15	-	7	7	-	1	-	-
Blackmail and extortion	3	-	1	2	-	-	-	-
Escape and jail break	35	-	27	6	2	-	-	-
Kidnaping	6	-	6	-	-	-	-	-
Perjury	11	-	4	3	4	-	-	-
Other offenses:								
Minor assault	34	-	-	15	11	8	-	-
Non-support or neglect	116	-	20	89	3	4	-	-
Violating liquor laws	109	-	10	33	30	36	-	-
Driving while intoxicated	23	-	9	3	7	4	-	-
Other motor vehicle laws	37	-	5	15	13	4	-	-
Disorderly conduct and vagrancy	96	-	41	37	17	1	-	-
Loitering	211	-	4	32	15	160	-	-
All other offenses	339	-	35	243	14	47	-	-

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DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

MINNESOTA

The proportion of defendants charged with major offenses who were convicted in the district courts of Minnesota has been approximately the same for each of the past four years. The data presented in table 1 show that during this time about 87 percent of these defendants were convicted and that approximately 83 percent of them were convicted by pleas of guilty.

The chief method by which defendants were eliminated without conviction was through dismissal of the charges, 10.1 percent of the cases being disposed of by this method in 1938. The fact that only 6.2 percent of all defendants were disposed of by means of a court or jury trial shows very clearly the relatively minor part that trials play in the administration of criminal justice.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	2,295	100.0	1,908	100.0	1,911	100.0	2,164	100.0
Eliminated without conviction	294	12.8	232	12.2	231	12.1	284	13.1
Dismissed	231	10.1	161	8.4	168	8.8	202	9.3
Jury waived, acquitted by court ..	2	0.1	1	0.1	1	0.1	1	(*)
Acquitted by jury	43	1.9	55	2.9	46	2.4	60	2.8
Other no-penalty dispositions	18	0.8	15	0.8	16	0.8	21	1.0
Convicted	2,001	87.2	1,676	87.8	1,680	87.9	1,880	86.9
Plea of guilty	1,903	82.9	1,578	82.7	1,586	83.0	1,762	81.4
Court finds guilty	6	0.3	8	0.4	6	0.3	3	0.1
Jury verdict guilty	92	4.0	90	4.7	88	4.6	115	5.3

*Percent not shown where less than 0.1.

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MINNESOTA,
BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,713	373	303	4	48	18	2,340	2,223	10	107
Major offenses, total ..	2,295	294	231	2	43	18	2,001	1,903	6	92
Murder	16	5	-	-	2	3	11	7	-	4
Manslaughter	36	14	6	1	7	-	22	20	-	2
Robbery	106	6	3	-	1	2	100	94	-	6
Aggravated assault	97	37	28	1	5	3	60	50	-	10
Burglary	272	18	16	-	1	1	254	249	-	5
Larceny, except auto theft	772	59	51	-	5	3	713	678	4	31
Auto theft	171	19	17	-	-	2	152	151	-	1
Embezzlement and fraud ...	75	20	18	-	2	-	55	51	-	4
Stolen property	75	24	20	-	4	-	51	45	1	5
Forgery	374	31	28	-	3	-	343	336	1	6
Rape	87	24	18	-	4	2	63	58	-	5
Commercialized vice	14	4	3	-	1	-	10	9	-	1
Other sex offenses	103	18	14	-	3	1	85	77	-	8
Violating drug laws	12	1	-	-	1	-	11	10	-	1
Carrying weapons, etc. ...	13	3	3	-	-	-	10	10	-	-
Other major offenses	72	11	6	-	4	1	61	58	-	3
Abortion	9	1	-	-	1	-	8	8	-	-
Arson	30	5	2	-	3	-	25	22	-	3
Bigamy	11	2	1	-	-	1	9	9	-	-
Blackmail and extortion	2	-	-	-	-	-	2	2	-	-
Escape and jail break ..	18	2	2	-	-	-	16	16	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	1	1	-	-	-	1	1	-	-
Other offenses:										
Minor assault	15	2	2	-	-	-	13	9	1	3
Nonsupport or neglect ...	140	32	31	1	-	-	108	103	2	3
Violating liquor laws	72	12	9	-	3	-	60	57	-	3
Driving while intoxicated	6	2	2	-	-	-	4	3	-	1
Other motor vehicle laws .	15	2	2	-	-	-	13	12	-	1
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling	83	4	4	-	-	-	79	78	1	-
All other offenses	86	24	21	1	2	-	62	58	-	4

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by forgery and burglary. These three groups together accounted for 61.8 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 45.1 percent of these defendants were sentenced to

prison or reformatory, 39.4 percent were placed on probation or received a suspended sentence, 10.7 percent received jail sentences, and 1.7 percent were given fines.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,001	100.0	1,676	100.0	1,664	100.0	1,878	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	903	45.1	757	45.2	789	47.4	966	51.5
Probation or suspended sentence	788	39.4	672	40.1	573	34.4	585	31.2
Local jails	267	13.3	180	10.7	243	14.6	260	13.9
Fine or costs only	35	1.7	61	3.6	58	3.5	59	3.1
Juvenile institutions	8	0.4	6	0.4	1	0.1	6	0.3
Other sentences	-	-	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MINNESOTA BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only
All offenses	2,340	-	922	1,003	313	94	8
Major offenses, total	2,001	-	903	788	267	35	8
Murder	11	-	11	-	-	-	-
Manslaughter	22	-	11	6	4	-	1
Robbery	100	-	86	12	-	-	2
Aggravated assault	60	-	27	18	9	6	-
Burglary	254	-	108	114	29	-	3
Larceny, except auto theft	713	-	319	288	98	7	1
Auto theft	152	-	59	79	7	6	1
Embezzlement and fraud	55	-	15	25	9	6	-
Stolen property	51	-	10	22	15	4	-
Forgery	343	-	114	160	67	2	-
Rape	63	-	41	16	6	-	-
Commercialized vice	10	-	8	-	2	-	-
Other sex offenses	85	-	59	19	5	2	-
Violating drug laws	11	-	4	4	2	1	-
Carrying weapons, etc.	10	-	-	5	4	1	-
Other major offenses	61	-	31	20	10	-	-
Abortion	8	-	4	4	-	-	-
Arson	25	-	13	8	4	-	-
Bigamy	9	-	4	5	-	-	-
Blackmail and extortion	2	-	1	1	-	-	-
Escape and jail break	16	-	9	1	6	-	-
Kidnaping	-	-	-	-	-	-	-
Perjury	1	-	-	1	-	-	-
Other offenses:							
Minor assault	13	-	-	6	4	3	-
Innate support or neglect	108	-	12	93	3	-	-
Violating liquor laws	60	-	1	35	18	6	-
Driving while intoxicated	4	-	-	2	-	2	-
Other motor vehicle laws	13	-	-	3	7	3	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-
Gambling	79	-	-	49	1	29	-
All other offenses	62	-	6	27	13	16	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

MONTANA

More than five-sixths (85.8 percent) of the defendants disposed of on major criminal charges in the district courts of Montana during 1938 were convicted. This is a considerably higher percentage of convictions than was reported during the three previous years. Pleas of guilty accounted for 79.7 percent of all dispositions.

Table 1 shows the disposition of defendants as reported by the district courts of the State for each of the past four years. On the basis of the 1930 population, the reports received from the courts covered the whole State in 1935, 98.8 percent in 1936, 95.8 percent in 1937, and 62.9 percent in 1938.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	345	100.0	586	100.0	563	100.0	596	100.0
Eliminated without conviction	49	14.2	134	22.9	166	29.5	173	29.0
Dismissed	35	10.1	100	17.1	131	23.3	125	21.0
Jury waived, acquitted by court ..	-	-	-	-	-	-	4	0.7
Acquitted by jury	14	4.1	28	4.8	22	3.9	31	5.2
Other no-penalty dispositions	-	-	6	1.0	13	2.3	13	2.2
Convicted	296	85.8	452	77.1	397	70.5	423	71.0
Plea of guilty	275	79.7	379	64.7	347	61.6	370	62.1
Court finds guilty	3	0.9	4	0.7	10	1.8	10	1.7
Jury verdict guilty	18	5.2	69	11.8	40	7.1	43	7.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	422	81	64	-	17	-	341	308	5	28
Major offenses, total ..	345	49	35	-	14	-	296	275	3	18
Murder	5	-	-	-	-	-	5	2	-	3
Manslaughter	6	4	-	-	4	-	2	2	-	-
Robbery	19	3	1	-	2	-	16	15	-	1
Aggravated assault	18	3	2	-	1	-	15	14	1	-
Burglary	89	8	8	-	-	-	81	78	-	3
Larceny, except auto theft ..	81	12	10	-	2	-	69	61	1	7
Auto theft	21	1	1	-	-	-	20	19	-	1
Embezzlement and fraud ...	12	2	2	-	-	-	10	10	-	-
Stolen property	6	1	1	-	-	-	5	5	-	-
Forgery	46	2	1	-	1	-	44	43	-	1
Rape	17	5	3	-	2	-	12	10	-	2
Commercialized vice	1	1	1	-	-	-	-	-	-	-
Other sex offenses	12	1	-	-	1	-	11	11	-	-
Violating drug laws	1	-	-	-	-	-	1	1	-	-
Carrying weapons, etc. ...	3	-	-	-	-	-	3	3	-	-
Other major offenses	8	6	5	-	1	-	2	1	1	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	5	5	4	-	1	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	1	-	-	-	-	-	1	1	-	-
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping	1	1	1	-	-	-	-	-	-	-
Perjury	1	-	-	-	-	-	1	-	1	-
Other offenses:										
Minor assault	14	4	3	-	1	-	10	4	-	6
Non-support or neglect	1	1	1	-	-	-	-	-	-	-
Violating liquor laws	6	4	3	-	1	-	2	1	-	1
Driving while intoxicated ..	8	2	2	-	-	-	6	5	-	1
Other motor vehicle laws ..	10	5	5	-	-	-	5	4	-	1
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling	2	-	-	-	-	-	2	2	-	-
All other offenses	35	15	14	-	1	-	20	17	2	1

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny and forgery. These three groups together accounted for 62.6 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 70.9

percent of these defendants were sentenced to prison or reformatory, 19.6 percent were placed on probation or given a suspended sentence, and 7.4 percent received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	296	100.0	452	100.0	387	100.0	422	100.0
Death	1	0.3	-	-	-	-	2	0.5
Prison or reformatory	210	70.9	338	74.8	296	76.5	303	71.8
Probation or suspended sentence	58	19.6	90	19.9	58	15.0	79	18.7
Local jails	22	7.4	15	3.3	13	3.4	27	6.4
Fine or costs only	1	0.3	4	0.9	6	1.6	2	0.5
Juvenile institutions	4	1.4	5	1.1	14	3.6	9	2.1
Other sentences	-	-	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	341	1	215	61	34	22	8	-
Major offenses, total	296	1	210	59	22	1	4	-
Murder	5	1	4	-	-	-	-	-
Manslaughter	2	-	1	1	-	-	-	-
Robbery	16	-	13	2	-	1	-	-
Aggravated assault	15	-	13	2	-	-	-	-
Burglary	81	-	51	26	2	-	2	-
Larceny, except auto theft	69	-	51	15	3	-	-	-
Auto theft	20	-	11	2	5	-	2	-
Embezzlement and fraud	10	-	8	1	1	-	-	-
Stolen property	5	-	2	3	-	-	-	-
Forgery	44	-	32	3	9	-	-	-
Rape	12	-	12	-	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	11	-	8	2	1	-	-	-
Violating drug laws	1	-	1	-	-	-	-	-
Carrying weapons, etc.	3	-	2	-	1	-	-	-
Other major offenses	2	-	1	1	-	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-
Bizamy	-	-	-	-	-	-	-	-
Blackmail and extortion	1	-	1	-	-	-	-	-
Escape and jail break	-	-	-	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault	10	-	-	1	6	3	-	-
Nonsupport or neglect	-	-	-	-	-	-	-	-
Violating liquor laws	2	-	-	-	1	1	-	-
Driving while intoxicated	6	-	1	2	-	3	-	-
Other motor vehicle laws	5	-	2	-	1	2	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	2	-	-	-	-	2	-	-
All other offenses	20	-	2	-	4	10	4	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

NEW HAMPSHIRE

During the past four years there has been a steady increase in the number of defendants charged with major offenses who were disposed of the superior courts of New Hampshire. For the calendar year 1938 the clerks of court reported to Bureau of the Census that 496 such defendants were disposed of, as compared with 422 dispositions reported for 1937, 414 for 1936, and 397 for 1935.

Nearly four-fifths (78.2 percent) of all defendants disposed of were convicted, a proportion which is lower than that for the years 1936 and 1937. As usual, most convictions resulted from a plea of guilty, 71.2 percent of all dispositions being by this means. Most eliminations without conviction were dismissals. Approximately 16 percent were dismissed, an increase in this type of disposition over the past two years.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	496	100.0	422	100.0	414	100.0	397	100.0
Eliminated without conviction	108	21.8	65	15.4	70	16.9	87	21.9
Dismissed	80	16.1	49	11.6	54	13.0	75	18.9
Jury waived, acquitted by court ..	2	0.4	-	-	-	-	-	-
Acquitted by jury	8	1.6	6	1.4	9	2.2	4	1.0
Other no-penalty dispositions	18	3.6	10	2.4	7	1.7	8	2.0
Convicted	388	78.2	357	84.6	344	83.1	310	78.1
Plea of guilty	353	71.2	331	78.4	286	69.1	283	71.3
Court finds guilty	3	0.6	3	0.7	45	10.9	13	3.3
Jury verdict guilty	32	6.5	23	5.5	13	3.1	14	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	612	167	131	2	14	20	445	401	5	39
Major offenses, total ..	496	108	80	2	8	18	388	353	3	32
Order	3	2	-	-	1	1	1	1	-	-
Murder	4	-	-	-	-	-	4	2	-	2
Robbery	15	4	3	-	-	1	11	11	-	-
Aggravated assault	15	4	3	-	1	-	11	11	-	-
Extortion	150	31	25	-	-	6	119	112	-	7
Auto theft, except auto theft ..	105	16	14	-	2	-	89	80	1	8
Auto theft	16	2	2	-	-	-	14	14	-	-
Embezzlement and fraud	75	23	17	2	1	3	52	49	2	1
Stolen property	5	1	1	-	-	-	4	4	-	-
Forgery	10	-	-	-	-	-	10	8	-	2
Perjury	30	6	4	-	1	1	24	19	-	5
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	50	7	4	-	2	1	43	38	-	5
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-	-	-
Other major offenses	18	12	7	-	-	5	6	4	-	2
Abortion	2	-	-	-	-	-	2	2	-	-
Arson	11	9	4	-	-	5	2	1	-	1
Bigamy	2	-	-	-	-	-	2	1	-	1
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	1	1	1	-	-	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	2	2	-	-	-	-	-	-	-
Other offenses:										
Minor assault	9	5	5	-	-	-	4	4	-	-
Insupport or neglect	14	7	6	-	-	1	7	6	1	-
Violating liquor laws	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated ..	11	6	5	-	1	-	5	4	-	1
Other motor vehicle laws ..	51	22	20	-	1	1	29	26	1	2
Disorderly conduct and	-	-	-	-	-	-	-	-	-	-
Vagrancy	2	2	2	-	-	-	-	-	-	-
Smuggling	1	1	1	-	-	-	-	-	-	-
Other offenses	28	16	12	-	4	-	12	8	-	4

It is well known that in most jurisdictions relatively few criminal defendants are disposed of by means of trial. This is particularly true in New Hampshire, where in 1938 only 9.1 percent of all dispositions resulted from trial by court or by jury. The proportion of defendants reported as disposed of by trial was 7.6 percent in 1937, 16.2 percent in 1936, and 7.8 percent in 1935.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order by larceny and embezzlement and fraud. In fact, these three groups account for approximately two-thirds of all major offenses prosecuted.

The type of sentence imposed on those convicted of major offenses is shown for each of the past four years in table 3. In 1938 there was a marked increase in the proportion of defendants receiving probation or a suspended sentence as compared with former years. Of those convicted, 29.1 percent were sentenced to prison, 50.3 percent received probation or a suspended sentence, 18.0 percent were given jail sentences, and 2.1 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offense include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	388	100.0	357	100.0	344	100.0	310	100.0
Death	-	-	1	0.3	-	-	-	-
Prison or reformatory	113	29.1	113	31.7	106	30.8	92	29.7
Probation or suspended sentence	195	50.3	140	39.2	147	42.7	142	45.8
Local jails	70	18.0	83	23.2	81	23.5	62	20.0
Fine or costs only	8	2.1	15	4.2	8	2.3	11	3.5
Juvenile institutions	1	0.3	4	1.1	2	0.6	3	1.0
Other sentences	1	0.3	1	0.3	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	445	-	120	215	81	27	1	1
Major offenses, total	388	-	113	195	70	8	1	1
Murder	1	-	1	-	-	-	-	-
Manslaughter	4	-	2	1	1	-	-	-
Robbery	11	-	8	3	-	-	-	-
Aggravated assault	11	-	1	4	3	2	1	-
Burglary	119	-	36	81	2	-	-	-
Larceny, except auto theft	89	-	10	40	37	2	-	-
Auto theft	14	-	3	10	1	-	-	-
Embezzlement and fraud	52	-	9	29	10	4	-	-
Stolen property	4	-	1	2	1	-	-	-
Forgery	10	-	4	4	2	-	-	-
Rape	24	-	21	2	1	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	43	-	16	16	11	-	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	6	-	1	3	1	-	-	1
Abortion	2	-	-	1	1	-	-	-
Arson	2	-	1	-	-	-	-	1
Bigamy	2	-	-	2	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	-	-	-	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	4	-	1	1	2	-	-	-
Non-support or neglect	7	-	-	5	2	-	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	5	-	-	1	1	3	-	-
Other motor vehicle laws	29	-	3	7	5	14	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	12	-	3	6	1	2	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

NEW JERSEY

Approximately four-fifths (80.2 percent) of the defendants charged with major offenses in the trial courts of New Jersey were convicted in 1938. From table 1, showing the disposition of criminal defendants in these courts for the past four years, it is seen that the proportion of convictions was higher in 1938 than in any of the three previous years.

Over two-thirds (68.9 percent) of all defendants prosecuted for major offenses plead guilty, and only 19.4 percent were disposed of by means of a court or jury trial. In 1935, 1936, and 1938 reports were received from all of the trial courts of the State, but in 1937, on the basis of the 1930 population, reports were received from courts covering only 90.8 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	6,104	100.0	5,260	100.0	5,836	100.0	6,590	100.0
Eliminated without conviction	1,208	19.8	1,068	20.3	1,455	24.9	1,976	30.0
Dismissed	681	11.2	584	11.1	844	14.5	1,040	15.8
Jury waived, acquitted by court ..	292	4.8	218	4.1	289	5.0	261	4.0
Acquitted by jury	201	3.3	229	4.4	272	4.7	266	4.0
Other no-penalty dispositions	34	0.6	37	0.7	50	0.9	409	6.2
Convicted	4,896	80.2	4,192	79.7	4,381	75.1	4,614	70.0
Plea of guilty	4,207	68.9	3,628	69.0	3,640	62.4	3,832	58.1
Court finds guilty	386	6.3	310	5.9	414	7.1	376	5.7
Jury verdict guilty	303	5.0	254	4.8	327	5.6	406	6.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	8,828	1,908	1,089	476	282	61	6,920	5,759	794	367
Major offenses, total ..	6,104	1,208	681	292	201	34	4,896	4,207	386	303
Murder	43	6	3	-	3	-	37	25	-	12
Manslaughter	110	55	18	9	26	2	55	38	1	16
Robbery	504	110	67	19	23	1	394	330	28	36
Aggravated assault	674	203	100	64	34	5	471	331	49	91
Burglary	1,361	137	83	31	17	6	1,224	1,128	55	41
Larceny, except auto theft	1,046	133	80	29	20	4	913	825	63	25
Auto theft	262	25	11	10	3	1	237	212	24	1
Embezzlement and fraud ...	506	124	75	29	17	3	382	342	37	3
Stolen property	205	64	34	21	7	2	141	117	12	12
Forgery	167	42	35	2	4	1	125	120	4	1
Rape	182	62	24	14	23	1	120	93	9	18
Commercialized vice	148	29	17	12	-	-	119	92	25	2
Other sex offensee	539	128	81	30	12	5	411	333	47	31
Violating drug laws	24	4	3	1	-	-	20	15	3	2
Carrying weapons, etc.	198	49	32	12	3	2	149	125	19	5
Other major offenses	135	37	18	9	9	1	98	81	10	7
Abortion	24	8	4	1	3	-	16	12	1	3
Arson	38	9	3	1	4	1	29	22	4	3
Bigamy	15	4	4	-	-	-	11	9	2	-
Blackmail and extortion ..	1	-	-	-	-	-	1	-	1	-
Escape and jail break ..	30	2	2	-	-	-	28	27	1	-
Kidnaping	10	6	-	5	1	-	4	3	1	-
Perjury	17	8	5	2	1	-	9	8	-	1
Other offenses:										
Minor assault	584	186	84	78	15	9	398	292	92	14
Nonsupport or neglect	606	176	133	34	4	5	430	323	99	8
Violating liquor laws	589	103	63	22	15	3	486	440	37	9
Driving while intoxicated ..	68	22	5	14	-	3	46	2	44	-
Other motor vehicle laws ..	41	12	4	6	2	-	29	18	11	-
Disorderly conduct and vagrancy	142	2	-	-	-	2	140	53	87	-
Gambling	216	37	19	12	4	2	179	157	13	9
All other offenses	478	162	100	18	41	3	316	267	25	24

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny and aggravated assault. These three groups together accounted for 50.5 percent of all major offenses.

The type of sentence imposed on those defendants convicted of major offense is shown for each of the past four years in table 3. In 1938 about one-third (34.7 percent) of those convicted were

sentenced to prison or reformatory, 36.7 percent were placed on probation or received a suspended sentence, 21.3 percent were sentenced to local jails or workhouses, and 6.3 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degree of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	4,896	100.0	4,192	100.0	4,352	100.0	4,534	100.0
Death	-	-	4	0.1	4	0.1	5	0.1
Prison or reformatory	1,698	34.7	1,425	34.0	1,524	35.0	1,447	31.9
Probation or suspended sentence	1,797	36.7	1,563	37.3	1,874	43.1	1,886	41.6
Local jails	1,044	21.3	920	21.9	767	17.6	903	19.9
Fine or costs only	308	6.3	190	4.5	126	2.9	225	5.0
Juvenile institutions	33	0.7	75	1.8	55	1.3	58	1.3
Other sentences	16	0.3	15	0.4	2	-	10	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	6,920	-	1,820	2,803	1,434	794	50	19
Major offenses, total	4,896	-	1,698	1,797	1,044	308	33	16
Murder	37	-	37	-	-	-	-	-
Manslaughter	55	-	25	9	18	2	-	1
Robbery	394	-	247	80	58	4	3	2
Aggravated assault	471	-	97	150	171	52	-	1
Burglary	1,224	-	496	451	199	57	17	4
Larceny, except auto theft	913	-	234	409	211	50	5	4
Auto theft	237	-	78	100	47	12	-	-
Embezzlement and fraud	382	-	72	181	86	42	-	1
Stolen property	141	-	31	64	31	15	-	-
Forgery	125	-	35	62	26	2	-	-
Rape	120	-	61	35	19	5	-	-
Commercialized vice	119	-	42	34	39	3	1	-
Other sex offenses	411	-	135	146	77	46	5	2
Violating drug laws	20	-	14	4	2	-	-	-
Carrying weapons, etc.	149	-	40	45	50	12	1	1
Other major offenses	98	-	54	27	10	6	1	-
Abortion	16	-	5	4	3	4	-	-
Arson	29	-	10	16	1	2	-	-
Bigamy	11	-	6	3	2	-	-	-
Blackmail and extortion	1	-	-	-	-	-	1	-
Escape and jail break	28	-	25	1	2	-	-	-
Kidnaping	4	-	4	-	-	-	-	-
Perjury	9	-	4	3	2	-	-	-
Other offenses:								
Minor assault	398	-	28	192	114	62	1	1
Nonsupport or neglect	430	-	17	368	40	4	1	-
Violating liquor laws	486	-	16	137	130	200	3	-
Driving while intoxicated	46	-	-	1	7	38	-	-
Other motor vehicle laws	29	-	-	10	5	14	-	-
Disorderly conduct and vagrancy	140	-	1	71	25	43	-	-
Gambling	179	-	7	60	18	94	-	-
All other offenses	316	-	53	167	51	31	12	2

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

NEW MEXICO

More defendants charged with major offenses were disposed of by the district courts of New Mexico during the calendar year 1938 than in any of the three previous years. Table 1 presents the figures on defendants disposed of as reported by the clerks of court to the Bureau of the Census. Three-fourths (75.1 percent) of all defendants disposed of were convicted, a percentage almost the same as shown for 1937.

Dismissal of the charges was the most frequent method of elimination of defendants without conviction, accounting for 19.2 percent of all dispositions. Only 15.4 percent of the defendants charged with major offenses were disposed of by means of a court or jury trial, a decrease from the 19.3 percent reported for 1937. About two out of every three defendants charged plead guilty (65.1 percent).

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	955	100.0	838	100.0	867	100.0	944	100.0
Eliminated without conviction	238	24.9	205	24.5	319	36.8	383	40.6
Dismissed	183	19.2	143	17.1	266	30.7	302	32.0
Jury waived, acquitted by court ..	1	0.1	-	-	11	1.3	1	0.1
Acquitted by jury	51	5.3	57	6.8	36	4.2	54	5.7
Other no-penalty dispositions	3	0.3	5	0.6	6	0.7	26	2.8
Convicted	717	75.1	633	75.5	548	63.2	561	59.4
Plea of guilty	622	65.1	528	63.0	461	53.2	464	49.2
Court finds guilty	33	3.5	19	2.3	8	0.9	6	0.6
Jury verdict guilty	62	6.5	86	10.3	79	9.1	91	9.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NEW MEXICO, BY OFFENSE: 1938

OFFENSE	Total defendant-ante disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,475	411	341	3	64	3	1,064	950	41	73
Major offenses, total ..	955	238	183	1	51	3	717	622	33	62
Murder	50	15	4	-	10	1	35	24	-	11
Involuntary manslaughter	24	11	5	-	6	-	13	9	-	4
Robbery	24	3	2	-	1	-	21	20	-	1
Aggravated assault	126	60	53	-	7	-	66	57	2	7
Arson	81	15	14	-	1	-	66	63	2	1
Larceny, except auto theft	288	46	34	-	12	-	242	226	2	14
Auto theft	36	4	4	-	-	-	32	30	-	2
Burglary and fraud	69	22	18	-	3	1	47	43	1	3
Violation of property	50	10	9	-	1	-	40	14	23	3
Forgery	81	8	8	-	-	-	73	70	-	3
Peonage	58	27	18	1	8	-	31	24	1	6
Commercialized vice	3	-	-	-	-	-	3	3	-	-
Other sex offenses	13	4	3	-	1	-	9	6	-	3
Violating drug laws	12	1	1	-	-	-	11	11	-	-
Carrying weapons, etc.	26	9	8	-	1	-	17	14	1	2
Other major offenses	14	3	2	-	-	1	11	8	1	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	5	1	1	-	-	-	4	3	-	1
Bigamy	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	4	1	-	-	-	1	3	2	-	1
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	1	-	-	-	-	-	1	-	1	-
Other offenses:										
Innocent assault	52	35	33	-	2	-	17	17	-	-
Insupport or neglect	13	8	8	-	-	-	5	4	-	1
Violating liquor laws	38	12	9	1	2	-	28	20	5	1
Driving while intoxicated ..	192	33	27	1	5	-	159	155	2	2
Other motor vehicle laws ..	70	23	22	-	1	-	47	47	-	-
Disorderly conduct and										
Vagrancy	11	4	4	-	-	-	7	7	-	-
Gambling	31	11	10	-	1	-	20	19	-	1
All other offenses	113	47	45	-	2	-	68	59	1	6

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by aggravated assault, burglary, and forgery. These four groups together accounted for 60.3 percent of all of the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. There were four death sentences imposed during 1938. A

little more than half of all convicted defendants were sentenced to prison, slightly more than one third were placed on probation or given a suspended sentence, 5.4 percent received jail sentences, 2.0 percent were fined, and 3.2 percent were committed to juvenile institutions.

Table 4 shows the variety of sentences used in the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	717	100.0	633	100.0	547	100.0	557	100.0
Death	4	0.6	3	0.5	1	0.2	-	-
Prison or reformatory	389	54.3	404	63.8	324	59.2	336	60.3
Probation or suspended sentence	248	34.6	154	24.3	150	27.4	140	25.1
Local jails	39	5.4	38	6.0	48	8.8	43	7.7
Fine or costs only	14	2.0	29	4.6	16	2.9	24	4.3
Juvenile institutions	23	3.2	5	0.8	4	0.7	14	2.5
Other sentences	-	-	-	-	4	0.7	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NEW MEXICO, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,064	4	408	330	158	133	31	-
Major offenses, total	717	4	389	248	39	14	23	-
Murder	35	4	31	-	-	-	-	-
Manslaughter	13	-	12	1	-	-	-	-
Robbery	21	-	19	2	-	-	-	-
Aggravated assault	66	-	28	25	6	7	-	-
Burglary	66	-	36	19	2	-	9	-
Larceny, except auto theft	242	-	110	102	16	4	10	-
Auto theft	32	-	13	14	5	-	-	-
Embezzlement and fraud	47	-	19	22	4	2	-	-
Stolen property	40	-	12	23	3	-	2	-
Forgery	73	-	52	20	-	1	-	-
Repe	31	-	25	4	-	-	2	-
Commercialized vice	3	-	1	2	-	-	-	-
Other sex offenses	9	-	6	3	-	-	-	-
Violating drug laws	11	-	7	4	-	-	-	-
Carrying weapons, etc.	17	-	9	6	2	-	-	-
Other major offenses	11	-	9	1	1	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	4	-	3	1	-	-	-	-
Bigamy	3	-	3	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	3	-	3	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	1	-	-	-	1	-	-	-
Other offenses:								
Minor assault	17	-	-	6	3	8	-	-
Misconduct or neglect	5	-	-	3	2	-	-	-
Violating liquor laws	28	-	-	7	8	11	-	-
Driving while intoxicated	159	-	7	39	66	47	-	-
Other motor vehicle laws	47	-	1	8	17	21	-	-
Disorderly conduct and vagrancy	7	-	-	-	3	3	1	-
Gambling	20	-	1	-	-	19	-	-
All other offenses	66	-	10	19	20	10	7	-

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DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

NEW YORK

A slightly larger number of defendants charged with major offenses was disposed of by the trial courts of New York during the calendar year 1938 than during 1937. Table 1 shows the disposition of defendants disposed of during the past two years according to figures furnished the Bureau of the Census by the State Department of Correction.

Convictions decreased from 75.2 percent in 1937 to 73.0 percent in 1938. Only 15.1 percent of all major offenders were disposed of by means of a jury trial during 1938 as compared with 17.0 percent during 1937. Approximately two out of every three defendants were disposed of by pleas of guilty.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937	
	Number	Percent	Number	Percent
Defendants disposed of	10,687	100.0	10,316	100.0
Eliminated without conviction	2,884	27.0	2,556	24.8
Dismissed	1,986	18.6	1,659	16.1
Jury waived, acquitted by court ..	-	-	-	-
Acquitted by jury	765	7.2	897	8.7
Other no-penalty dispositions	133	1.2	-	-
Convicted	7,803	73.0	7,760	75.2
Plea of guilty	6,955	65.1	6,904	66.9
Court finds guilty	-	-	-	-
Jury verdict guilty	848	7.9	856	8.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW YORK, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	12,263	3,283	2,325	-	801	157	8,980	8,025	-	955
Major offenses, total ..	10,687	2,884	1,986	-	765	133	7,803	6,955	-	848
Murder	112	45	19	-	21	5	67	27	-	40
Manslaughter	222	97	52	-	44	1	125	73	-	52
Robbery	1,169	376	234	-	132	10	793	623	-	170
Aggravated assault	924	317	146	-	154	17	607	486	-	121
Burglary	2,491	431	304	-	96	31	2,060	1,917	-	143
Larceny, except auto theft ..	2,453	408	306	-	76	26	2,045	1,925	-	120
Auto theft	653	118	87	-	28	3	535	500	-	35
Embezzlement and fraud ...	41	26	24	-	2	-	15	12	-	3
Stolen property	231	151	95	-	53	3	80	59	-	21
Forgery	446	113	84	-	17	12	333	323	-	10
Rape	398	149	102	-	44	3	249	229	-	20
Commercialized vice	28	14	13	-	1	-	14	13	-	1
Other sex offenses	350	119	71	-	40	8	231	205	-	26
Violating drug laws	43	7	6	-	-	1	36	29	-	7
Carrying weapons, etc.	409	118	93	-	23	2	291	257	-	34
Other major offenses	717	395	350	-	34	11	322	277	-	45
Abortion	(*)									
Arson	100	24	18	-	4	2	76	73	-	3
Bigamy	(*)									
Blackmail and extortion ..	(*)									
Escape and jail break ..	(*)									
Kidnaping	(*)									
Perjury	(*)									
Other offenses:										
Minor assault	484	-	-	-	-	-	484	423	-	61
Nonsupport or neglect	490	275	251	-	13	11	215	209	-	6
Violating liquor laws	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated ..	98	18	4	-	14	-	80	67	-	13
Other motor vehicle laws ..	5	-	-	-	-	-	5	5	-	-
Disorderly conduct and vagrancy	27	-	-	-	-	-	27	27	-	-
Gambling	27	-	-	-	-	-	27	27	-	-
All other offenses	445	106	84	-	9	13	339	312	-	27

*Not returned separately. Offenses reported as "other felonies" included in other major offenses.

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny, robbery, and aggravated assault. These four groups together accounted for 65.8 percent of all major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for both 1937 and 1938 in table 3. Twenty defendants were sentenced to the death penalty during 1938. There was a slight increase in the proportion of sentences to prisons and reformatories in 1938 as

compared with 1937 and also a slight increase in the proportion placed on probation or given a suspended sentence. A little more than two-fifths (43.6 percent) were sentenced to prison or reformatory and one-third were placed on probation or given a suspended sentence. Slightly over one-fifth (21.8 percent) received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degree of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937	
	Number	Percent	Number	Percent
Defendants sentenced	7,803	100.0	7,760	100.0
Death	20	0.3	18	0.2
Prison or reformatory	3,400	43.6	3,317	42.7
Probation or suspended sentence	2,633	33.7	2,465	31.8
Local jails	1,699	21.8	1,877	24.2
Fine or costs only	20	0.3	40	0.5
Juvenile institutions	-	-	-	-
Other sentences	31	0.4	43	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW YORK, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	8,980	20	3,465	3,209	2,153	100	-	33
Major offenses, total	7,803	20	3,400	2,633	1,699	20	-	31
Murder	67	20	47	-	-	-	-	-
Manslaughter	125	-	96	23	4	2	-	-
Robbery	793	-	712	57	21	-	-	3
Aggravated assault	607	-	350	117	137	2	-	1
Burglary	2,060	-	761	817	474	1	-	7
Larceny, except auto theft	2,045	-	546	870	614	1	-	14
Auto theft	535	-	162	225	144	-	-	4
Embezzlement and fraud	15	-	1	9	3	2	-	-
Stolen property	80	-	21	41	13	5	-	-
Forgery	333	-	153	132	48	-	-	-
Rape	249	-	136	82	31	-	-	-
Commercialized vice	14	-	5	5	4	-	-	-
Other sex offenses	231	-	157	42	32	-	-	-
Violating drug laws	36	-	11	3	22	-	-	-
Carrying weapons, etc.	291	-	101	84	104	1	-	1
Other major offenses	322	-	141	126	48	6	-	1
Abortion	(*)	-	-	-	-	-	-	-
Arson	76	-	39	26	10	-	-	1
Bigamy	(*)	-	-	-	-	-	-	-
Blackmail and extortion	(*)	-	-	-	-	-	-	-
Escape and jail break	(*)	-	-	-	-	-	-	-
Kidnaping	(*)	-	-	-	-	-	-	-
Perjury	(*)	-	-	-	-	-	-	-
Other offenses:								
Minor assault	484	-	21	213	246	3	-	1
Nonsupport or neglect	215	-	28	140	46	1	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	80	-	8	18	52	2	-	-
Other motor vehicle laws	5	-	-	2	3	-	-	-
Disorderly conduct and vagrancy	27	-	-	18	2	6	-	1
Gambling	27	-	-	1	3	23	-	-
All other offenses	339	-	8	184	102	45	-	-

*Not returned separately. Offenses reported as "other felonies" included in other major offenses.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

NORTH DAKOTA

There was a slight increase in the percentage convictions resulting from charges of major offenses in the district courts of North Dakota in 1938 as compared with 1937. This increase, however, is very small and is accounted for by slight increase in the proportion of dispositions by pleas of guilty and a corresponding decrease in the proportion dismissed.

Table 1 shows the disposition of defendants in the district courts of the State for each of the past four years. Reports were received in 1935 from the district courts of every county in the State. In 1936, 1937, and 1938, respectively, the reports, on the basis of the 1930 population, covered 77.4 percent, 98.6 percent, and 93.5 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	533	100.0	536	100.0	330	100.0	504	100.0
Dismissed without conviction	93	17.4	109	20.3	59	17.9	116	23.0
Dismissed	78	14.6	92	17.2	47	14.2	100	19.8
Jury waived, acquitted by court ..	-	-	-	-	-	-	-	-
Acquitted by jury	12	2.3	15	2.8	5	1.5	6	1.2
Other no-penalty dispositions	3	0.6	2	0.4	7	2.1	10	2.0
Convicted	440	82.6	427	79.7	271	82.1	388	77.0
Plea of guilty	414	77.7	396	73.9	238	72.1	353	70.0
Court finds guilty	10	1.9	3	0.6	6	1.8	10	2.0
Jury verdict guilty	16	3.0	28	5.2	27	8.2	25	5.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NORTH DAKOTA, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	841	177	155	1	18	3	664	622	17	25
Major offenses, total ..	533	93	78	-	12	3	440	414	10	16
Order	4	1	-	-	1	-	3	2	-	1
Manslaughter	4	2	-	-	2	-	2	2	-	-
Larceny	12	4	1	-	3	-	8	8	-	-
Aggravated assault	29	5	4	-	1	-	24	24	-	-
Burglary	82	10	10	-	-	-	72	68	3	1
Receivry, except auto theft ..	134	12	12	-	-	-	122	120	-	2
Auto theft	31	5	4	-	-	1	26	26	-	-
Embezzlement and fraud	55	6	5	-	1	-	49	48	-	1
False property	8	1	1	-	-	-	7	6	-	1
Forgery	43	7	5	-	2	-	36	34	1	1
Pe	38	10	9	-	1	-	28	17	4	7
Commercialized vice	4	-	-	-	-	-	4	4	-	-
Other sex offenses	67	25	23	-	-	2	42	38	2	2
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	9	2	2	-	-	-	7	7	-	-
Other major offenses	13	3	2	-	1	-	10	10	-	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	6	1	-	-	1	-	5	5	-	-
Bigamy	3	1	1	-	-	-	2	2	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	2	-	-	-	-	-	2	2	-	-
Kidnaping	2	1	1	-	-	-	1	1	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault	17	6	6	-	-	-	11	11	-	-
Insupport or neglect	29	11	10	1	-	-	18	16	2	-
Violating liquor laws	32	16	16	-	-	-	16	15	-	1
Driving while intoxicated ..	124	12	9	-	3	-	112	109	-	3
Other motor vehicle laws ..	21	7	5	-	2	-	14	13	-	1
Disorderly conduct and ..	-	-	-	-	-	-	-	-	-	-
Vagrancy	7	1	1	-	-	-	6	5	1	-
Drunk driving	8	8	8	-	-	-	-	-	-	-
1 other offenses	70	23	22	-	1	-	47	39	4	4

The most frequent method of elimination of defendants without conviction was by dismissal of the charges. As usual, the great majority of convictions resulted from pleas of guilty, over three-fourths of all cases being disposed of by this means. Only about 1 defendant in each 14 (7.2 percent) defendants charged with major offenses was disposed of by means of a court or jury trial.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged was larceny, with burglary the next most frequent offense charged. These two offense groups alone account for more than two-fifths of all major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. There is very little difference between 1937 and 1938 in the sentences imposed. In 1938 slightly more than half of the convicted defendants were given a prison sentence, 12.5 percent received probation or a suspended sentence, about one-fourth were given jail sentences, 2.3 percent were fined, and 8.9 percent were sent to juvenile institutions.

The variety of sentences used for the same general classes of offenses will be observed in table 4. In interpreting these data, however, it must be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	440	100.0	427	100.0	275	100.0	387	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	228	51.8	219	51.3	158	57.5	190	49.1
Probation or suspended sentence	55	12.5	53	12.4	32	11.6	60	15.5
Local jails	108	24.5	118	27.6	55	20.0	91	23.5
Fine or costs only	10	2.3	13	3.0	6	2.2	9	2.3
Juvenile institutions	39	8.9	24	5.6	24	8.7	28	7.2
Other sentences	-	-	-	-	-	-	9	2.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NORTH DAKOTA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	664	-	238	110	229	44	41	2
Major offenses, total	440	-	228	55	108	10	39	-
Murder	3	-	3	-	-	-	-	-
Manslaughter	2	-	1	1	-	-	-	-
Robbery	8	-	5	1	-	-	2	-
Aggravated assault	24	-	15	1	6	-	2	-
Burglary	72	-	32	5	22	1	12	-
Larceny, except auto theft	122	-	63	12	33	6	8	-
Auto theft	26	-	15	1	6	-	4	-
Embezzlement and fraud	49	-	19	17	12	1	-	-
Stolen property	7	-	4	1	2	-	-	-
Forgery	36	-	24	5	4	1	2	-
Rape	28	-	20	3	5	-	-	-
Commercialized vice	4	-	-	-	4	-	-	-
Other sex offenses	42	-	15	7	11	1	8	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	7	-	4	1	2	-	-	-
Other major offenses	10	-	8	-	1	-	1	-
Abortion	-	-	-	-	-	-	-	-
Arson	5	-	5	-	-	-	-	-
Bigamy	2	-	2	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	2	-	1	-	1	-	-	-
Kidnaping	1	-	-	-	-	-	1	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	11	-	-	2	6	3	-	-
Mansupport or neglect	19	-	5	13	-	-	-	-
Violating liquor laws	16	-	-	2	7	7	-	-
Driving while intoxicated	112	-	1	24	81	6	-	-
Other motor vehicle laws	14	-	-	3	9	2	-	-
Disorderly conduct and vagrancy	6	-	-	-	5	-	1	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	47	-	4	11	13	16	1	2

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

OHIO

There has been a steady increase in the percentage of convictions resulting from charges of major crimes in the common pleas courts of Ohio during the last three years. Table 1 shows that 4.6 percent of the defendants disposed of in 1938 were convicted, as compared to 80.8 percent in 1937 and 73.6 percent in 1936. Nearly three-fourths of all dispositions in 1938 were convictions resulting from pleas of guilty.

The chief method by which defendants were eliminated without conviction was through dismissal of the charges, 10.6 percent of the cases being disposed of by this method. The fact that only 15.3 percent of all defendants were disposed of by means of a court or jury trial illustrates the relatively minor part that trials play in the administration of criminal justice.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	6,459	100.0	6,010	100.0	5,732	100.0	6,591	100.0
Eliminated without conviction	997	15.4	1,153	19.2	1,515	26.4	1,643	24.9
Dismissed	682	10.6	796	13.2	1,171	20.4	1,239	18.8
Jury waived, acquitted by court ..	83	1.3	129	2.1	110	1.9	101	1.5
Acquitted by jury	179	2.8	158	2.6	139	2.4	192	2.9
Other no-penalty dispositions	53	0.8	70	1.2	95	1.7	111	1.7
Convicted	5,462	84.6	4,857	80.8	4,217	73.6	4,948	75.1
Plea of guilty	4,737	73.3	4,152	69.1	3,550	61.9	4,177	63.4
Court finds guilty	253	3.9	300	5.0	278	4.8	318	4.8
Jury verdict guilty	472	7.3	405	6.7	389	6.8	453	6.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE COMMON PLEAS COURTS OF OHIO,
BY OFFENSE: 1938

OFFENSE	Total defend- ents disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	8,935	1,627	1,226	118	223	60	7,308	6,381	365	562
Major offenses, total ..	6,459	997	682	83	179	53	5,462	4,737	253	472
Murder	115	26	6	1	12	7	89	23	14	52
Manslaughter	201	32	15	4	12	1	169	122	12	35
Robbery	778	104	66	19	17	2	674	550	36	88
Aggravated assault	340	68	42	7	14	5	272	199	28	45
Burglary	1,682	190	130	11	36	13	1,492	1,326	62	104
Larceny, except auto theft ..	804	98	81	4	12	1	706	660	20	26
Auto theft	661	73	45	10	13	5	588	547	13	28
Embezzlement and fraud ..	378	110	89	7	12	2	268	243	9	16
Stolen property	157	26	22	2	2	-	131	111	9	11
Forgery	601	89	80	3	3	3	512	491	7	14
Repe	191	54	35	4	11	4	137	94	16	27
Commercialized vice	55	15	14	-	1	-	40	36	2	2
Other sex offenses	123	32	17	3	8	4	91	69	12	10
Violating drug laws	29	5	1	1	2	1	24	21	-	3
Carrying weapons, etc.	226	27	13	7	4	3	199	183	11	5
Other major offenses	118	48	26	-	20	2	70	62	2	6
Abortion	14	5	3	-	2	-	9	9	-	-
Arson	37	20	15	-	4	1	17	13	1	3
Bigamy	9	1	1	-	-	-	8	8	-	-
Bleekmail and extortion ..	8	-	-	-	-	-	8	5	1	2
Escape and jail break ..	3	-	-	-	-	-	3	3	-	-
Kidnaping	18	11	-	-	10	1	7	7	-	-
Perjury	29	11	7	-	4	-	18	17	-	1
Other offenses:										
Minor assault	400	73	65	3	5	-	327	256	35	36
Nonsupport or neglect	642	256	230	14	7	5	386	340	33	13
Violating liquor laws	288	69	63	2	3	1	219	201	8	10
Driving while intoxicated ..	511	52	36	1	15	-	459	437	6	16
Other motor vehicle laws ..	161	47	35	9	3	-	114	108	6	-
Disorderly conduct and vagrancy	75	10	10	-	-	-	65	61	4	-
Gambling	153	29	27	-	2	-	124	118	5	1
All other offenses	246	94	78	6	9	1	152	123	15	14

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order of frequency by larceny, robbery, auto theft, and forgery. These five groups together accounted for 70.1 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 45.9

percent of these defendants were sentenced to prison or reformatory, 42.1 percent were placed on probation or received a suspended sentence, 12.7 percent received jail sentences, and 3.2 percent were fined.

Table 4 shows the variety of sentences used in the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	5,462	100.0	4,857	100.0	4,040	100.0	4,847	100.0
Death	18	0.3	3	0.1	4	0.1	13	0.3
Prison or reformatory	2,506	45.9	2,279	46.9	1,893	46.9	2,292	47.3
Probation or suspended sentence	2,297	42.1	1,932	39.8	1,433	35.5	1,742	35.9
Local jails	468	8.6	427	8.8	512	12.7	568	11.7
Fine or costs only	173	3.2	212	4.4	182	4.5	217	4.5
Juvenile institutions	-	-	4	0.1	11	0.3	-	-
Other sentences	-	-	-	-	5	0.1	15	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE COMMON PLEAS COURTS OF OHIO BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles only
All offenses	7,308	18	2,574	2,876	958	882	-
Major offenses, total	5,462	18	2,506	2,297	468	173	-
Murder	89	18	70	1	-	-	-
Manslaughter	169	-	75	58	33	3	-
Robbery	674	-	477	197	-	-	-
Aggravated assault	272	-	131	123	12	6	-
Burglary	1,492	-	760	715	10	7	-
Larceny, except auto theft	706	-	176	238	237	55	-
Auto theft	588	-	270	317	1	-	-
Embezzlement and fraud	268	-	68	159	22	19	-
Stolen property	131	-	26	75	24	6	-
Forgery	512	-	227	257	13	15	-
Rape	137	-	99	24	14	-	-
Commercialized vice	40	-	2	3	5	30	-
Other sex offenses	91	-	66	10	9	6	-
Violating drug laws	24	-	7	12	3	2	-
Carrying weapons, etc.	199	-	23	74	80	22	-
Other major offenses	70	-	29	34	5	2	-
Abortion	9	-	2	5	-	2	-
Arson	17	-	12	5	-	-	-
Bigamy	8	-	3	5	-	-	-
Blackmail and extortion	8	-	3	5	-	-	-
Escape and jail break	3	-	-	-	3	-	-
Kidnaping	7	-	6	1	-	-	-
Perjury	18	-	3	13	2	-	-
Other offenses:							
Minor assault	327	-	-	68	180	79	-
Nonsupport or neglect	386	-	51	319	11	5	-
Violating liquor laws	219	-	2	29	70	118	-
Driving while intoxicated	459	-	-	71	165	223	-
Other motor vehicle laws	114	-	-	31	16	67	-
Disorderly conduct and vagrancy	65	-	-	4	4	57	-
Gambling	124	-	-	8	1	115	-
All other offenses	152	-	15	49	43	45	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

OREGON

More than seven-eighths (88.3 percent) of the defendants charged with major offenses and disposed of in the circuit courts of Oregon during the year 1938 were convicted. As usual, pleas of guilty accounted for nearly all of the convictions and for the great majority of all dispositions. Only 9.3 percent of the cases were disposed of by means of trial.

Table 1 shows the disposition of defendants for each of the past four years as reported by the clerks of court to the Bureau of the Census. In 1938 reports were received from courts covering, on the basis of the 1930 population, 91.5 percent of the State. In 1937 the coverage was 54.9 percent, in 1936 it was complete, and in 1935 it was 64.5 percent.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,089	100.0	832	100.0	1,045	100.0	784	100.0
Eliminated without conviction	127	11.7	101	12.1	162	15.5	236	30.1
Dismissed	94	8.6	60	7.2	123	11.8	186	23.7
Jury waived, acquitted by court ..	3	0.3	-	-	1	0.1	2	0.3
Acquitted by jury	27	2.5	35	4.2	34	3.3	34	4.3
Other no-penalty dispositions	3	0.3	6	0.7	4	0.4	14	1.8
Convicted	962	88.3	731	87.9	883	84.5	548	69.9
Plea of guilty	891	81.8	683	82.1	809	77.4	500	63.8
Court finds guilty	4	0.4	5	0.6	3	0.3	5	0.6
Jury verdict guilty	67	6.2	43	5.2	71	6.8	43	5.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,315	178	132	4	37	5	1,137	1,046	4	87
Major offenses, total ..	1,089	127	94	3	27	3	962	891	4	67
Murder	12	5	1	-	4	-	7	2	-	5
Manslaughter	17	6	2	-	3	1	11	6	-	5
Robbery	50	6	3	-	3	-	44	42	-	2
Aggravated assault	29	5	5	-	-	-	24	16	1	7
Burglary	171	16	13	1	2	-	155	142	2	11
Larceny, except auto theft	296	17	13	1	3	-	279	268	1	10
Auto theft	84	5	4	-	-	1	79	78	-	1
Embezzlement and fraud	137	22	17	1	4	-	115	108	-	7
Stolen property	45	6	5	-	1	-	39	39	-	-
Forgery	119	9	7	-	1	1	110	108	-	2
Rape	51	10	8	-	2	-	41	30	-	11
Commercialized vice	2	-	-	-	-	-	2	2	-	-
Other sex offenses	37	5	3	-	2	-	32	30	-	2
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	9	6	6	-	-	-	3	3	-	-
Other major offenses	30	9	7	-	2	-	21	17	-	4
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	13	5	3	-	2	-	8	6	-	2
Bigamy	1	-	-	-	-	-	1	-	-	1
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	5	-	-	-	-	-	5	5	-	-
Kidnaping	5	4	4	-	-	-	1	-	-	1
Perjury	6	-	-	-	-	-	6	6	-	-
Other offenses:										
Minor assault	28	3	1	-	2	-	25	17	-	8
Nonsupport or neglect	47	7	6	-	1	-	40	40	-	-
Violating liquor laws	10	4	3	-	1	-	6	6	-	-
Driving while intoxicated ..	22	3	1	-	1	1	19	17	-	2
Other motor vehicle laws ..	13	4	4	-	-	-	9	8	-	1
Disorderly conduct and vagrancy	3	-	-	-	-	-	3	3	-	-
Gambling	5	2	1	-	1	-	3	3	-	-
All other offenses	98	28	22	1	4	1	70	61	-	9

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary, embezzlement and fraud, and forgery. These four offense groups together accounted for 66.4 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 44.7

percent of these defendants were sentenced to the penitentiary, 36.9 percent were placed on probation or received a suspended sentence, and 16.3 percent received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	962	100.0	731	100.0	882	100.0	548	100.0
Death	1	0.1	-	-	-	-	-	-
Prison or reformatory	430	44.7	348	47.6	422	55.8	309	56.4
Probation or suspended sentence	355	36.9	283	38.7	266	30.2	142	25.9
Local jails	157	16.3	85	11.6	110	12.5	74	13.5
Fine or costs only	14	1.5	13	1.8	8	0.9	15	2.7
Juvenile institutions	5	0.5	2	0.3	5	0.6	1	0.2
Other sentences	-	-	-	-	1	0.1	7	1.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,137	1	449	426	205	51	5	-
Major offenses, total	962	1	430	355	157	14	5	-
Murder	7	1	6	-	-	-	-	-
Manslaughter	11	-	7	4	-	-	-	-
Robbery	44	-	25	18	-	-	1	-
Aggravated assault	24	-	10	7	5	2	-	-
Burglary	155	-	92	55	8	-	-	-
Larceny, except auto theft	279	-	100	108	61	7	3	-
Auto theft	79	-	16	31	30	2	-	-
Embezzlement and fraud	115	-	45	55	13	2	-	-
Stolen property	39	-	17	12	9	-	1	-
Forgery	110	-	62	40	8	-	-	-
Rape	41	-	26	8	7	-	-	-
Commercialized vice	2	-	1	-	-	1	-	-
Other sex offenses	32	-	14	11	7	-	-	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	3	-	2	1	-	-	-	-
Other major offenses	21	-	7	5	9	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	8	-	5	3	-	-	-	-
Bigamy	1	-	1	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	5	-	-	-	5	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Perjury	6	-	-	2	4	-	-	-
Other offenses:								
Minor assault	25	-	-	7	11	7	-	-
Nonsupport or neglect	40	-	4	27	2	7	-	-
Violating liquor laws	6	-	-	2	1	3	-	-
Driving while intoxicated	19	-	-	4	9	6	-	-
Other motor vehicle laws	9	-	1	6	1	1	-	-
Disorderly conduct and vagrancy	3	-	-	3	-	-	-	-
Gambling	3	-	-	-	-	3	-	-
All other offenses	70	-	14	22	24	10	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

PENNSYLVANIA

Nearly three-fourths (74.5 percent) of the defendants disposed of on major criminal charges by the general trial courts of Pennsylvania in 1938 were convicted, according to the data reported to the Bureau of the Census by the State Department of Welfare. As shown by table 1, this is a higher percentage of convictions than was reported for any of the three previous years.

Pleas of guilty accounted for 45.8 percent of all dispositions and dismissals for 9.2 percent. Pennsylvania shows a rather large proportion of defendants disposed of by means of trial; 40.2 percent of all 1938 major offense dispositions resulted from jury trials and 3.8 percent from trials by the court after waiver of jury.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	24,548	100.0	22,603	100.0	22,067	100.0	23,019	100.0
Eliminated without conviction	6,255	25.5	6,699	29.6	6,727	30.5	7,465	32.4
Dismissed	2,259	9.2	2,684	11.9	2,674	12.1	2,848	12.4
Jury waived, acquitted by court ..	409	1.7	145	0.6	122	0.6	123	0.5
Acquitted by jury	3,348	13.6	3,602	15.9	3,769	17.1	4,251	18.5
Other no-penalty dispositions	239	1.0	268	1.2	162	0.7	243	1.1
Convicted	18,293	74.5	15,904	70.4	15,340	69.5	15,554	67.6
Plea of guilty	11,252	45.8	9,799	43.4	9,048	41.0	9,429	41.0
Court finds guilty	514	2.1	457	2.0	498	2.3	375	1.6
Jury verdict guilty	6,527	26.6	5,648	25.0	5,794	26.3	5,750	25.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	46,023	13,052	5,343	1,211	5,916	582	32,971	19,188	4,074	9,709
Major offenses, total ..	24,548	6,255	2,259	409	3,348	239	18,293	11,252	514	6,527
Murder	197	92	19	2	70	1	105	33	2	70
Manslaughter	403	228	89	10	126	3	175	63	3	109
Robbery	2,660	386	53	6	321	6	2,274	878	8	1,388
Aggravated assault	2,651	1,244	514	87	596	47	1,407	669	84	654
Burglary	3,105	359	125	29	193	12	2,746	2,249	51	446
Larceny, except auto theft ..	6,025	1,212	362	100	714	36	4,813	3,278	147	1,388
Auto theft	1,015	239	65	9	163	2	776	544	6	226
Embezzlement and fraud ...	1,995	696	393	45	229	29	1,299	777	42	480
Stolen property	379	132	50	20	60	2	247	146	20	81
Forgery	776	114	60	8	37	9	662	573	13	76
Rape	804	314	112	12	177	13	490	230	6	254
Commercialized vice	551	159	39	25	92	3	392	229	37	126
Other sex offenses	2,018	608	254	34	252	68	1,410	862	67	481
Violating drug laws	402	42	8	1	33	-	360	103	5	252
Carrying weapons, etc.	1,136	295	67	15	208	5	841	436	13	392
Other major offenses	431	135	49	6	77	3	296	182	10	104
Abortion	86	33	13	1	18	1	53	24	1	28
Arson	98	42	11	4	25	2	56	38	5	13
Bigamy	51	12	2	-	10	-	39	16	1	22
Blackmail and extortion ..	23	6	4	-	2	-	17	15	-	2
Escape and jail break ..	81	6	2	1	3	-	75	71	2	2
Kidnaping	4	4	2	-	2	-	-	-	-	-
Perjury	88	32	15	-	17	-	56	18	1	37
Other offenses:										
Minor assault	2,857	1,425	596	121	666	42	1,432	755	117	560
Nonsupport or neglect	4,405	865	715	68	8	74	3,540	1,170	2,346	24
Violating liquor laws	2,318	593	196	74	277	46	1,725	1,149	161	415
Driving while intoxicated ..	4,324	1,048	197	91	743	17	3,276	2,145	113	1,018
Other motor vehicle laws ..	2,511	1,039	395	276	337	31	1,472	901	255	316
Disorderly conduct and vagrancy	273	117	85	12	12	8	156	100	44	12
Gambling	1,263	325	87	49	181	8	938	571	91	276
All other offenses	3,524	1,385	813	111	344	117	2,139	1,145	433	561

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary, robbery, and aggravated assault. These four offense groups together accounted for 58.8 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 13.5

percent of these defendants were sentenced to prisons and reformatories, 30.8 percent were placed on probation or received a suspended sentence, 44.7 percent received jail sentences, and 9.1 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	18,293	100.0	15,904	100.0	15,340	100.0	15,554	100.0
Death	8	(*)	7	(*)	18	0.1	6	(*)
Prison or reformatory	2,474	13.5	2,292	14.4	1,897	12.4	1,925	12.4
Probation or suspended sentence	5,631	30.8	4,701	29.6	4,332	28.4	4,513	29.0
Local jails	8,170	44.7	7,131	44.8	6,926	45.1	6,983	44.9
Fine or costs only	1,664	9.1	1,637	10.3	1,918	12.5	1,857	11.9
Juvenile institutions	226	1.2	94	0.6	201	1.3	90	0.6
Other sentences	120	0.7	42	0.3	20	0.1	180	1.2

*Percent not shown where less than 0.1.

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	32,971	8	2,619	9,657	12,272	7,653	336	226
Major offenses, total	18,293	8	2,474	5,631	8,170	1,664	226	120
Murder	105	8	70	7	19	-	-	1
Manslaughter	175	-	32	27	104	12	-	-
Robbery	2,274	-	395	520	1,316	25	18	-
Aggravated assault	1,407	-	71	459	711	160	6	-
Burglary	2,748	-	681	900	935	147	72	11
Larceny, except auto theft	4,813	-	624	1,805	2,025	291	64	4
Auto theft	778	-	154	243	308	49	21	1
Embezzlement and fraud	1,299	-	31	462	605	198	1	2
Stolen property	247	-	9	104	104	28	2	-
Forgery	662	-	102	180	310	69	1	-
Rape	490	-	102	56	258	63	5	6
Commercialized vice	392	-	19	153	118	94	-	8
Other sex offenses	1,410	-	79	325	484	428	10	84
Violating drug laws	360	-	5	56	290	9	-	-
Carrying weapons, etc.	841	-	34	294	441	70	2	-
Other major offenses	296	-	66	40	142	21	24	3
Abortion	53	-	2	18	27	6	-	-
Arson	56	-	20	5	25	3	-	3
Bigamy	39	-	1	6	23	9	-	-
Blackmail and extortion	17	-	3	2	12	-	-	-
Escape and jail break	75	-	30	3	17	1	24	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	56	-	10	6	38	2	-	-
Other offenses:								
Minor assault	1,432	-	41	547	570	271	1	2
Monsupport or neglect	3,540	-	5	799	68	2,668	-	-
Violating liquor laws	1,725	-	7	352	540	822	3	1
Driving while intoxicated	3,276	-	7	951	1,510	808	-	-
Other motor vehicle laws	1,472	-	16	413	534	508	2	1
Disorderly conduct and vagrancy	156	-	7	45	38	65	-	1
Gambling	938	-	4	210	314	408	2	-
All other offenses	2,139	-	58	709	528	641	102	101

DEPARTMENT OF COMMERCE
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Washington

JUDICIAL CRIMINAL STATISTICS: 1938

RHODE ISLAND

More defendants charged with major offenses were disposed of by the superior courts of Rhode Island during the calendar year 1938 than in 1937 and 1936. Table 1 shows that 96.0 percent of all defendants disposed of were convicted and that all convictions were reported as pleas of guilty. Defendants who were convicted on a plea of nolo contendere are included with pleas of guilty.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary and that the next most frequent offense was auto theft. These two offense groups together accounted for nearly three-fifths (59.8 percent) of all major offenses.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	651	100.0	568	100.0	560	100.0	676	100.0
Eliminated without conviction	26	4.0	8	1.4	22	3.9	37	5.5
Dismissed	26	4.0	4	0.7	17	3.0	29	4.3
Jury waived, acquitted by court ..	-	-	-	-	-	-	6	0.9
Acquitted by jury	-	-	4	0.7	2	0.4	2	0.3
Other no-penalty dispositions	-	-	-	-	3	0.5	-	-
Convicted	625	96.0	560	98.6	538	96.1	639	94.5
Plea of guilty	625	96.0	557	98.1	534	95.4	627	92.8
Court finds guilty	-	-	-	-	-	-	1	0.1
Jury verdict guilty	-	-	3	0.5	4	0.7	11	1.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	777	34	34	-	-	-	743	743	-	-
Major offenses, total ..	651	26	26	-	-	-	625	625	-	-
Murder	2	-	-	-	-	-	2	2	-	-
Manslaughter	3	-	-	-	-	-	3	3	-	-
Robbery	43	2	2	-	-	-	41	41	-	-
Aggravated assault	11	-	-	-	-	-	11	11	-	-
Burglary	304	2	2	-	-	-	302	302	-	-
Larceny, except auto theft ..	15	-	-	-	-	-	15	15	-	-
Auto theft	85	-	-	-	-	-	85	85	-	-
Embezzlement and fraud ...	17	2	2	-	-	-	15	15	-	-
Stolen property	1	-	-	-	-	-	1	1	-	-
Forgery	25	-	-	-	-	-	25	25	-	-
Rape	35	-	-	-	-	-	35	35	-	-
Commercialized vice	17	1	1	-	-	-	16	16	-	-
Other sex offenses	5	1	1	-	-	-	4	4	-	-
Violating drug laws	3	-	-	-	-	-	3	3	-	-
Carrying weapons, etc. ...	47	-	-	-	-	-	47	47	-	-
Other major offenses	38	18	18	-	-	-	20	20	-	-
Abortion	3	-	-	-	-	-	3	3	-	-
Arson	9	-	-	-	-	-	9	9	-	-
Bigamy	5	-	-	-	-	-	5	5	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	2	-	-	-	-	-	2	2	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	19	18	18	-	-	-	1	1	-	-
Other offenses:										
Minor assault	3	-	-	-	-	-	3	3	-	-
Nonsupport or neglect	1	-	-	-	-	-	1	1	-	-
Violating liquor laws	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated ..	35	-	-	-	-	-	35	35	-	-
Other motor vehicle laws ..	33	4	4	-	-	-	29	29	-	-
Disorderly conduct and vagrancy	18	-	-	-	-	-	18	18	-	-
Gambling	9	-	-	-	-	-	9	9	-	-
All other offenses	27	4	4	-	-	-	23	23	-	-

The type of sentence imposed on defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938 approximately one-fourth of all convicted defendants were sentenced to prison or reformatory, 64.8 percent were placed on probation or given a suspended sentence, while 9.1 percent received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	625	100.0	560	100.0	538	100.0	639	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	162	25.9	146	26.1	116	21.6	120	18.8
Probation or suspended sentence	405	64.8	346	61.8	354	65.8	396	62.0
Local jails	57	9.1	59	10.5	63	11.7	104	16.2
Fine or costs only	1	0.2	3	0.5	5	0.9	14	2.2
Juvenile institutions	-	-	6	1.1	-	-	5	0.8
Other sentences	-	-	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles only	Other
All offenses	743	-	165	439	81	58	-	-
Major offenses, total	625	-	162	405	57	1	-	-
Murder	2	-	2	-	-	-	-	-
Manslaughter	3	-	1	2	-	-	-	-
Robbery	41	-	23	16	2	-	-	-
Aggravated assault	11	-	-	10	-	1	-	-
Burglary	302	-	75	202	25	-	-	-
Larceny, except auto theft	15	-	5	5	5	-	-	-
Auto theft	85	-	20	58	7	-	-	-
Embezzlement and fraud	15	-	2	10	3	-	-	-
Stolen property	1	-	-	1	-	-	-	-
Forgery	25	-	4	14	7	-	-	-
Rape	35	-	12	22	1	-	-	-
Commercialized vice	16	-	5	11	-	-	-	-
Other sex offenses	4	-	1	3	-	-	-	-
Violating drug laws	3	-	1	-	2	-	-	-
Carrying weapons, etc.	47	-	7	37	3	-	-	-
Other major offenses	20	-	4	14	2	-	-	-
Abortion	3	-	1	2	-	-	-	-
Arson	9	-	1	8	-	-	-	-
Bigamy	5	-	2	2	1	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	2	-	-	1	1	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault	3	-	-	2	1	-	-	-
Nonsupport or neglect	1	-	-	1	-	-	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	35	-	-	-	11	24	-	-
Other motor vehicle laws	29	-	2	-	1	26	-	-
Disorderly conduct and vagrancy	18	-	-	10	7	1	-	-
Gambling	9	-	1	5	-	3	-	-
All other offenses	23	-	-	16	4	3	-	-

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DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

SOUTH DAKOTA

Nearly seven-eighths (87.0 percent) of the defendants charged with major offenses in the circuit courts of South Dakota were convicted in 1938. The most frequent method of disposition was a plea of guilty which accounted for more than three-fourths of all defendants. Only 51 defendants, or 13.0 percent of the total, were reported as disposed of by means of trial.

Table 1 shows the disposition of defendants prosecuted for major offenses in the circuit courts of the State for each of the past four years. On the basis of the 1930 population, the reports received from the courts covered the whole State in 1935, 97.3 percent in 1936, 99.6 percent in 1937, and 76.3 percent in 1938.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	392	100.0	526	100.0	512	100.0	567	100.0
Eliminated without conviction	51	13.0	85	16.2	71	13.9	64	11.3
Dismissed	35	8.9	70	13.3	48	9.4	31	5.5
Jury waived, acquitted by court ..	2	0.5	1	0.2	-	-	-	-
Acquitted by jury	13	3.3	13	2.5	18	3.5	29	5.1
Other no-penalty dispositions	1	0.3	1	0.2	5	1.0	4	0.7
Convicted	341	87.0	441	83.8	441	86.1	503	88.7
Plea of guilty	305	77.8	406	77.2	419	81.8	461	81.3
Court finds guilty	26	6.6	9	1.7	2	0.4	6	1.1
Jury verdict guilty	10	2.6	26	4.9	20	3.9	36	6.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF SOUTH DAKOTA,
BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	597	85	63	2	18	2	512	466	30	16
Major offenses, total ..	392	51	35	2	13	1	341	305	26	10
Murder	-	-	-	-	-	-	-	-	-	-
Manslaughter	4	2	1	-	1	-	2	1	-	1
Robbery	5	2	2	-	-	-	3	3	-	-
Aggravated assault	12	2	1	-	1	-	10	8	-	2
Burglary	74	9	8	-	-	1	65	60	5	-
Larceny, except auto theft ..	151	19	11	1	7	-	132	121	8	3
Auto theft	9	-	-	-	-	-	9	8	1	-
Embezzlement and fraud ...	21	3	3	-	-	-	18	17	-	1
Stolen property	8	-	-	-	-	-	8	8	-	-
Forgery	50	2	2	-	-	-	48	44	3	1
Rape	21	3	2	-	1	-	18	14	3	1
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	26	5	4	1	-	-	21	15	5	1
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc.	4	1	1	-	-	-	3	3	-	-
Other major offenses	7	3	-	-	3	-	4	3	1	-
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	5	3	-	-	3	-	2	2	-	-
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	1	-	-	-	-	-	1	-	1	-
Other offenses:										
Minor assault	13	6	6	-	-	-	7	6	-	1
Nonsupport or neglect	32	3	3	-	-	-	29	27	-	2
Violating liquor laws	17	3	2	-	1	-	14	14	-	-
Driving while intoxicated ..	79	6	5	-	-	1	73	71	1	1
Other motor vehicle laws ..	26	5	2	-	3	-	21	20	-	1
Disorderly conduct and vagrancy	1	-	-	-	-	-	1	-	1	-
Gambling	2	-	-	-	-	-	2	2	-	-
All other offenses	35	11	10	-	1	-	24	21	2	1

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary and forgery. These three groups together accounted for 70.2 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 56.0 percent of these defendants were sentenced to

prison, approximately one-fifth (19.9 percent) were placed on probation or received a suspended sentence, and an almost equal number received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	341	100.0	441	100.0	441	100.0	503	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	191	56.0	257	58.3	271	61.5	314	62.4
Probation or suspended sentence	68	19.9	82	18.6	95	21.5	92	18.3
Local jails	69	20.2	79	17.9	66	15.0	63	12.5
Fine or costs only	7	2.1	16	3.6	7	1.6	23	4.6
Juvenile institutions	6	1.8	7	1.6	2	0.5	10	2.0
Other sentences	-	-	-	-	-	-	1	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF SOUTH DAKOTA, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	512	-	197	120	136	50	8	1
Major offenses, total	341	-	191	68	69	7	6	-
Murder	-	-	-	-	-	-	-	-
Manslaughter	2	-	1	-	-	-	1	-
Robbery	3	-	2	-	-	-	1	-
Aggravated assault	10	-	7	3	-	-	-	-
Burglary	65	-	43	14	5	-	3	-
Larceny, except auto theft	132	-	71	23	36	2	-	-
Auto theft	9	-	7	-	-	2	-	-
Embezzlement and fraud	18	-	7	5	4	2	-	-
Stolen property	8	-	1	2	5	-	-	-
Forgery	48	-	25	10	12	1	-	-
Rape	18	-	14	2	2	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	21	-	9	7	4	-	1	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	3	-	1	2	-	-	-	-
Other major offenses	4	-	3	-	1	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	2	-	2	-	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	1	-	-	-	1	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	1	-	1	-	-	-	-	-
Other offenses:								
Minor assault	7	-	-	4	2	1	-	-
Non-support or neglect	29	-	5	11	11	2	-	-
Violating liquor laws	14	-	-	2	6	6	-	-
Driving while intoxicated	73	-	-	24	34	14	-	1
Other motor vehicle laws	21	-	1	3	4	13	-	-
Disorderly conduct and vagrancy	1	-	-	-	-	1	-	-
Gambling	2	-	-	-	-	2	-	-
All other offenses	24	-	-	8	10	4	2	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

UTAH

There was a slight decrease in the percentage of convictions resulting from charges of major crimes in the district courts of Utah in 1938 as compared with 1937. This decrease, however, is so small and the number of cases involved is so few that the differences observed between the two years in disposition of major offenders are of no significance.

Table 1 shows the summary data on the disposition of defendants charged with major offenses for the past four years. The figures for 1937 and 1938 are based on reports received from all district courts of the State. In 1935 and 1936, respectively, reports were received from courts covering, on the basis of the 1930 population, 98.1 percent and 98.3 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	383	100.0	377	100.0	291	100.0	415	100.0
Eliminated without conviction	102	26.6	81	21.5	95	32.6	120	28.9
Dismissed	41	10.7	47	12.5	61	21.0	71	17.1
Jury waived, acquitted by court ..	14	3.7	1	0.3	-	-	4	1.0
Acquitted by jury	45	11.7	31	8.2	28	9.6	31	7.5
Other no-penalty dispositions	2	0.5	2	0.5	6	2.1	14	3.4
Convicted	281	73.4	296	78.5	196	67.4	295	71.1
Plea of guilty	208	54.3	221	58.6	139	47.8	192	46.3
Court finds guilty	13	3.4	9	2.4	5	1.7	6	1.4
Jury verdict guilty	60	15.7	66	17.5	52	17.9	97	23.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF UTAH,
BY OFFENSE: 1938

OFFENSE	Total defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquit- ted by Jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	582	178	89	20	67	2	404	292	28	84
Major offenses, total ..	383	102	41	14	45	2	281	208	13	60
Murder	6	3	-	-	3	-	3	-	-	3
Manslaughter	18	11	1	1	9	-	7	1	-	6
Robbery	25	9	3	3	3	-	16	15	-	1
Aggravated assault	12	3	1	-	1	1	9	5	2	2
Burglary	120	16	10	2	4	-	104	91	2	11
Larceny, except auto theft ..	49	16	5	2	8	1	33	22	1	10
Auto theft	11	5	3	-	2	-	6	4	2	-
Embezzlement and fraud ...	21	9	4	1	4	-	12	9	1	2
Stolen property	2	1	-	-	1	-	1	1	-	-
Forgery	57	10	6	2	2	-	47	29	4	14
Rape	16	6	1	2	3	-	10	7	-	3
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	31	8	5	1	2	-	23	16	1	6
Violating drug laws	3	-	-	-	-	-	3	3	-	-
Carrying weapons, etc. ...	1	1	-	-	1	-	-	-	-	-
Other major offenses	11	4	2	-	2	-	7	5	-	2
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	6	3	2	-	1	-	3	2	-	1
Bigamy	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping	2	1	-	-	1	-	1	1	-	-
Perjury	3	-	-	-	-	-	3	2	-	1
Other offenses:										
Minor assault	11	4	1	2	1	-	7	3	-	4
Nonsupport or neglect	27	11	10	-	1	-	16	13	3	-
Violating liquor laws	56	10	8	-	2	-	46	35	5	6
Driving while intoxicated ..	24	16	8	-	8	-	8	2	-	6
Other motor vehicle laws ..	26	10	4	1	5	-	16	6	3	7
Disorderly conduct and vagrancy	2	2	1	1	-	-	-	-	-	-
Gambling	-	-	-	-	-	-	-	-	-	-
All other offenses	53	23	16	2	5	-	30	25	4	1

While over half of all dispositions resulted from pleas of guilty, more than one-third of the defendants were disposed of by means of trial; court and jury trials resulting in acquittal accounted for 15.4 percent of all dispositions and trials resulting in convictions accounted for 19.1 percent of all dispositions.

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was burglary, followed in order by forgery and larceny. These three offense groups accounted for 59.0 percent of all of the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. A larger proportion of defendants was placed on probation or received a suspended sentence in 1938 than in any of the three previous years. Over half of the convicted defendants were sentenced to prison, while 7.5 percent were given jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	281	100.0	296	100.0	190	100.0	295	100.0
Death	1	0.4	-	-	-	-	-	-
Prison or reformatory	151	53.7	168	56.8	118	62.1	185	62.7
Probation or suspended sentence	104	37.0	86	29.1	36	18.9	44	14.9
Local jails	21	7.5	33	11.1	27	14.2	42	14.2
Fine or costs only	1	0.4	5	1.7	9	4.7	16	5.4
Juvenile institutions	3	1.1	4	1.4	-	-	7	2.4
Other sentences	-	-	-	-	-	-	1	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF UTAH, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	404	1	152	141	48	58	3	1
Major offenses, total	281	1	151	104	21	1	3	-
Murder	3	1	2	-	-	-	-	-
Manslaughter	7	-	1	2	4	-	-	-
Robbery	16	-	12	4	-	-	-	-
Aggravated assault	9	-	6	2	1	-	-	-
Burglary	104	-	61	40	-	-	3	-
Larceny, except auto theft	33	-	14	10	9	-	-	-
Auto theft	6	-	-	6	-	-	-	-
Embezzlement and fraud	12	-	4	5	3	-	-	-
Stolen property	1	-	1	-	-	-	-	-
Forgery	47	-	26	19	2	-	-	-
Rape	10	-	8	1	-	1	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	23	-	13	9	1	-	-	-
Violating drug laws	3	-	-	3	-	-	-	-
Carrying weapons, etc.	-	-	-	-	-	-	-	-
Other major offenses	7	-	3	3	1	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	3	-	1	2	-	-	-	-
Bigamy	-	-	-	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	-	-	-	-	-	-	-	-
Kidnaping	1	-	-	-	1	-	-	-
Perjury	3	-	2	1	-	-	-	-
Other offenses:								
Minor assault	7	-	-	2	3	2	-	-
Nonsupport or neglect	16	-	-	12	-	3	-	1
Violating liquor laws	46	-	-	12	11	23	-	-
Driving while intoxicated	8	-	-	-	3	5	-	-
Other motor vehicle laws	16	-	1	2	2	11	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-
Gambling	-	-	-	-	-	-	-	-
All other offenses	30	-	-	9	8	13	-	-

DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: 1938

VERMONT

More than three-fourths (77.9 percent) of the defendants charged with major offenses and disposed of in the county and municipal courts of Vermont during the calendar year 1938 were convicted. As usual, pleas of guilty accounted for nearly all of the convictions and for the great majority of all dispositions. Only 5.5 percent of the cases were disposed of by means of trial.

Table 1 shows the disposition of defendants as reported by the clerks of court for each of the past four years. For 1938 it is estimated that the reports received, on the basis of the 1930 population, covered approximately 56 percent of the State. In 1937 the coverage was estimated at 90 percent, in 1936 at 65 percent, and in 1935 at 98.9 percent.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	434	100.0	649	100.0	377	100.0	659	100.0
Eliminated without conviction	96	22.1	144	22.2	96	25.5	172	26.1
Dismissed	86	19.8	117	18.0	76	20.2	121	18.4
Jury waived, acquitted by court ..	1	0.2	1	0.2	3	0.8	2	0.3
Acquitted by jury	2	0.5	8	1.2	4	1.1	8	1.2
Other no-penalty dispositions	7	1.6	18	2.8	13	3.4	41	6.2
Convicted	338	77.9	505	77.8	281	74.5	487	73.9
Plea of guilty	317	73.0	486	74.9	256	67.9	446	67.7
Court finds guilty	1	0.2	-	-	2	0.5	18	2.7
Jury verdict guilty	20	4.6	19	2.9	23	6.1	23	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF VERMONT,
BY OFFENSE: 1938

OFFENSE	Total defend- ante disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	2,776	379	352	5	13	9	2,397	2,353	7	37
Major offenses, total ..	434	96	86	1	2	7	338	317	1	20
Murder	4	3	1	-	-	2	1	1	-	-
Manslaughter	1	-	-	-	-	-	1	1	-	-
Robbery	2	2	2	-	-	-	-	-	-	-
Aggravated assault	5	-	-	-	-	-	5	5	-	-
Burglary	40	5	5	-	-	-	35	34	-	1
Larceny, except auto theft ..	196	46	44	1	-	1	150	146	-	4
Auto theft	15	2	2	-	-	-	13	13	-	-
Embezzlement and fraud ...	19	3	2	-	1	-	16	16	-	-
Stolen property	4	2	2	-	-	-	2	2	-	-
Forgery	10	3	2	-	-	1	7	7	-	-
Rape	23	5	4	-	-	1	18	11	-	7
Commercialized vice	12	1	1	-	-	-	11	11	-	-
Other sex offenses	74	16	16	-	-	-	58	56	-	2
Violating drug laws	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	1	-	-	-	-	-	1	1	-	-
Other major offenses	28	8	5	-	1	2	20	13	1	6
Abortion	-	-	-	-	-	-	-	-	-	-
Arson	18	4	1	-	1	2	14	8	-	6
Bigamy	2	1	1	-	-	-	1	1	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	6	1	1	-	-	-	5	4	1	-
Kidnaping	-	-	-	-	-	-	-	-	-	-
Perjury	2	2	2	-	-	-	-	-	-	-
Other offenses:										
Minor assault	15	5	5	-	-	-	10	10	-	-
Nonsupport or neglect	49	26	26	-	-	-	23	21	-	2
Violating liquor laws	48	8	7	-	1	-	40	37	-	3
Driving while intoxicated ..	127	11	8	-	3	-	116	107	1	8
Other motor vehicle laws ..	629	51	43	2	5	1	578	573	2	3
Disorderly conduct and vagrancy	1,369	152	149	2	1	-	1,217	1,213	3	1
Gambling	5	-	-	-	-	-	5	5	-	-
All other offenses	100	30	28	-	1	1	70	70	-	-

(OVER)

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by other sex offenses and burglary. These three offense groups together accounted for 71.4 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 37.9

percent of the defendants convicted were sentenced to prison, 25.7 percent were given probation or received a suspended sentence, and 24.6 percent received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	338	100.0	505	100.0	281	100.0	487	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	128	37.9	184	36.4	134	47.7	193	39.6
Probation or suspended sentence	87	25.7	132	26.1	59	21.0	96	19.7
Local jails	83	24.6	122	24.2	43	15.3	117	24.0
Fine or costs only	34	10.1	59	11.7	40	14.2	63	12.9
Juvenile institutions	6	1.8	8	1.6	5	1.8	15	3.1
Other sentences	-	-	-	-	-	-	3	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF VERMONT, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	2,397	-	178	169	930	1,113	7	-
Major offenses, total	338	-	128	87	83	34	6	-
Murder	1	-	1	-	-	-	-	-
Menslaughter	1	-	1	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-
Aggravated assault	5	-	4	1	-	-	-	-
Burglary	35	-	13	13	7	-	2	-
Larceny, except auto theft	150	-	23	37	64	23	3	-
Auto theft	13	-	11	-	1	1	-	-
Embezzlement and fraud	16	-	5	4	5	2	-	-
Stolen property	2	-	-	2	-	-	-	-
Forgery	7	-	3	2	2	-	-	-
Rape	18	-	14	3	1	-	-	-
Commercialized vice	11	-	8	3	-	-	-	-
Other sex offenses	58	-	29	22	2	4	1	-
Violating drug laws	-	-	-	-	-	-	-	-
Carrying weapons, etc.	1	-	-	-	1	-	-	-
Other major offenses	20	-	16	-	-	4	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	14	-	10	-	-	4	-	-
Bigamy	1	-	1	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	5	-	5	-	-	-	-	-
Kidnaping	-	-	-	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	10	-	-	-	-	10	-	-
Nonsupport or neglect	23	-	6	16	1	-	-	-
Violating liquor laws	40	-	14	15	1	10	-	-
Driving while intoxicated	116	-	9	17	19	71	-	-
Other motor vehicle laws	578	-	8	19	38	512	1	-
Disorderly conduct and vagrancy	1,217	-	7	10	777	423	-	-
Gambling	5	-	-	-	3	2	-	-
All other offenses	70	-	6	5	8	51	-	-

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JUDICIAL CRIMINAL STATISTICS: 1938

WASHINGTON

Of the 1,637 defendants disposed of on major offense charges in the superior courts of the State of Washington during 1938, over four-fifths, or 82.9 percent, were convicted. From table 1, showing the disposition of defendants during the last four years, it is seen that the proportion convicted has increased slightly each year.

Elimination of defendants charged with major offenses occurred most frequently through a dismissal of the charges, 12.2 percent of the cases being dismissed. Pleas of guilty accounted for nearly three-fourths of all dispositions. However, less than one-seventh of the defendants (13.1 percent) were disposed of by means of a trial.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	1,637	100.0	1,579	100.0	1,501	100.0	1,721	100.0
Eliminated without conviction	280	17.1	290	18.4	315	21.0	390	22.7
Dismissed	200	12.2	219	13.9	199	13.3	251	14.6
Jury waived, acquitted by court ..	6	0.4	2	0.1	2	0.1	1	0.1
Acquitted by jury	58	3.5	52	3.3	47	3.1	70	4.1
Other non-penalty dispositions	16	1.0	17	1.1	67	4.5	68	4.0
Convicted	1,357	82.9	1,289	81.6	1,186	79.0	1,331	77.3
Plea of guilty	1,206	73.7	1,128	71.4	1,015	67.6	1,080	62.8
Court finds guilty	19	1.2	18	1.1	8	0.5	64	3.7
Jury verdict guilty	132	8.1	143	9.1	163	10.9	187	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	1,991	396	301	7	72	16	1,595	1,420	27	148
Major offenses, total ..	1,637	280	200	6	58	16	1,357	1,206	19	132
Murder	32	13	2	-	10	1	19	9	-	10
Manslaughter	44	16	3	-	13	-	28	18	1	9
Robbery	83	13	10	-	3	-	70	60	-	10
Aggravated assault	66	13	6	-	4	3	53	42	2	9
Burglary	361	38	30	3	3	2	323	298	4	21
Larceny, except auto theft ..	456	73	61	-	10	2	383	359	1	23
Auto theft	97	15	8	-	5	2	82	76	-	6
Embezzlement and fraud ..	30	19	18	-	1	-	11	10	-	1
Stolen property	13	3	3	-	-	-	10	10	-	-
Forgery	205	27	23	2	1	1	178	161	1	16
Rape	45	15	9	-	4	2	30	22	1	7
Commercialized vice	2	1	1	-	-	-	1	-	-	1
Other sex offenses	123	20	16	-	2	2	103	92	3	8
Violating drug laws	21	2	1	-	-	1	19	14	5	-
Carrying weapons, etc.	12	4	3	-	1	-	8	7	-	1
Other major offenses	47	8	6	1	1	-	39	28	1	10
Abortion	5	-	-	-	-	-	5	4	-	1
Arson	10	2	2	-	-	-	8	7	-	1
Bigamy	7	1	1	-	-	-	6	4	-	2
Blackmail and extortion ..	4	2	2	-	-	-	2	2	-	-
Escape and jail break ..	4	-	-	-	-	-	4	4	-	-
Kidnaping	9	1	-	-	1	-	8	3	-	5
Perjury	8	2	1	1	-	-	6	4	1	1
Other offenses:										
Minor assault	51	7	4	-	3	-	44	38	-	6
Nonsupport or neglect	15	9	9	-	-	-	6	3	2	1
Violating liquor laws	11	7	7	-	-	-	4	3	-	1
Driving while intoxicated ..	69	22	17	-	5	-	47	46	1	-
Other motor vehicle laws ..	40	11	11	-	-	-	29	28	-	1
Disorderly conduct and vagrancy	38	13	12	1	-	-	25	22	3	-
Gambling	23	14	14	-	-	-	9	6	-	3
All other offenses	107	33	27	-	6	-	74	68	2	4

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary and forgery. These three groups together accounted for more than three-fifths (62.4 percent) of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938

over three-fifths (62.9 percent) of these defendants were sentenced to prison or reformatory, a little more than one-fifth (21.2 percent) were placed on probation or received a suspended sentence, and 14.6 percent received jail sentences.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,357	100.0	1,289	100.0	1,170	100.0	1,323	100.0
Death	4	0.3	5	0.4	1	0.1	4	0.3
Prison or reformatory	853	62.9	847	65.7	763	65.2	867	65.5
Probation or suspended sentence	288	21.2	193	15.0	202	17.3	205	15.5
Local jails	198	14.6	231	17.9	182	15.6	190	14.4
Fine or costs only	7	0.5	13	1.0	15	1.3	36	2.7
Juvenile institutions	7	0.5	-	-	7	0.6	13	1.0
Other sentences	-	-	-	-	-	-	8	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	1,595	4	862	344	303	74	8	-
Major offenses, total	1,357	4	853	288	198	7	7	-
Murder	19	4	15	-	-	-	-	-
Manslaughter	28	-	13	2	13	-	-	-
Robbery	70	-	67	2	1	-	-	-
Aggravated assault	53	-	40	5	7	-	1	-
Burglary	323	-	237	82	2	-	2	-
Larceny, except auto theft	383	-	173	90	114	6	-	-
Auto theft	82	-	52	24	5	-	1	-
Embezzlement and fraud	11	-	2	8	1	-	-	-
Stolen property	10	-	-	7	1	-	2	-
Forgery	178	-	143	33	2	-	-	-
Rape	30	-	25	1	4	-	-	-
Commercialized vice	1	-	1	-	-	-	-	-
Other sex offenses	103	-	50	17	34	1	1	-
Violating drug laws	19	-	12	5	2	-	-	-
Carrying weapons, etc.	8	-	3	3	2	-	-	-
Other major offenses	39	-	20	9	10	-	-	-
Abortion	5	-	3	1	1	-	-	-
Arson	8	-	5	3	-	-	-	-
Bribery	6	-	3	3	-	-	-	-
Blackmail and extortion	2	-	-	-	2	-	-	-
Escape and jail break	4	-	-	-	4	-	-	-
Kidnaping	8	-	6	2	-	-	-	-
Perjury	6	-	3	-	3	-	-	-
Other offenses:								
Minor assault	44	-	-	11	23	10	-	-
Nonsupport or neglect	6	-	-	5	1	-	-	-
Violating liquor laws	4	-	-	1	2	1	-	-
Driving while intoxicated	47	-	-	8	23	16	-	-
Other motor vehicle laws	29	-	2	9	9	9	-	-
Disorderly conduct and vagrancy	25	-	3	9	12	-	1	-
Loitering	9	-	-	-	-	9	-	-
All other offenses	74	-	4	13	35	22	-	-

DEPARTMENT OF COMMERCE
 Bureau of the Census
 Washington

JUDICIAL CRIMINAL STATISTICS: 1938

WISCONSIN

Of the 3,430 defendants charged with major offenses and disposed of in the trial courts of Wisconsin during 1938, 86.2 percent were convicted. Cases of guilty accounted for the great majority of the convictions and dispositions. Only 13.9 percent of all dispositions were by means of trial.

Table 1 shows the disposition of defendants in the trial courts of the State as reported to the Bureau of the Census for each of the past four years. On the basis of the 1930 population, the reports received from the courts covered 97.8 percent of the State in 1935, 99.2 percent in 1936, 99.7 percent in 1937, and 95.0 percent in 1938.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	3,430	100.0	3,024	100.0	3,005	100.0	3,417	100.0
Eliminated without conviction	472	13.8	476	15.7	670	22.3	714	20.9
Dismissed	335	9.8	332	11.0	454	15.1	480	14.0
Jury waived, acquitted by court ..	71	2.1	41	1.4	42	1.4	49	1.4
Acquitted by jury	34	1.0	39	1.3	41	1.4	52	1.5
Other no-penalty dispositions	32	0.9	64	2.1	133	4.4	133	3.9
Convicted	2,958	86.2	2,548	84.3	2,335	77.7	2,703	79.1
Plea of guilty	2,585	75.4	2,275	75.2	2,049	68.2	2,346	68.7
Court finds guilty	290	8.5	190	6.3	199	6.6	244	7.1
Jury verdict guilty	83	2.4	93	2.7	87	2.9	113	3.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	27,548	2,912	1,874	916	60	62	24,636	23,802	709	125
Major offenses, total ..	3,430	472	335	71	34	32	2,958	2,585	290	83
Murder	23	3	1	-	2	-	20	8	2	10
Manslaughter	41	7	2	1	4	-	34	25	4	5
Larceny	95	8	2	-	4	2	87	75	7	5
Aggravated assault	169	32	20	2	7	3	137	102	20	15
Burglary	533	34	23	6	3	2	499	444	44	11
Arson, except auto theft ..	860	103	86	14	1	2	757	665	83	9
Auto theft	227	34	22	11	-	1	193	177	16	-
Embezzlement and fraud ...	363	82	66	10	2	4	281	258	22	1
Stolen property	45	9	7	2	-	-	36	36	-	-
Forgery	294	27	20	3	1	3	267	256	9	2
Swindling	198	38	20	10	6	2	160	133	17	10
Commercialized vice	20	4	4	-	-	-	16	13	3	-
Other sex offenses	446	71	49	9	2	11	375	313	51	11
Violating drug laws	16	2	1	1	-	-	14	11	3	-
Carrying weapons, etc. ...	32	6	2	-	-	1	29	27	2	-
Other major offenses	68	15	10	2	2	1	53	42	7	4
Abortion	8	2	1	1	-	-	6	5	-	1
Arson	25	7	5	-	2	-	18	14	2	2
Bigamy	8	-	-	-	-	-	8	6	2	-
Blackmail and extortion ..	2	1	-	-	-	1	1	1	-	-
Escape and jail break ..	10	1	1	-	-	-	9	9	-	-
Kidnaping	4	1	1	-	-	-	3	3	-	-
Perjury	11	3	2	1	-	-	8	4	3	1
Other offenses:										
Minor assault	254	78	67	4	1	6	176	126	43	7
Insupport or neglect	501	174	147	20	3	4	327	268	57	2
Violating liquor laws	235	57	45	2	4	6	178	166	8	4
Driving while intoxicated ..	854	22	16	4	-	2	832	750	78	4
Other motor vehicle laws ..	15,746	261	182	75	3	1	15,485	15,415	66	4
Disorderly conduct and										
Vagrancy	5,387	1,589	862	724	-	3	3,798	3,720	77	1
Gambling	53	12	8	4	-	-	41	36	5	-
All other offenses	1,088	247	212	12	15	8	841	736	85	20

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order of frequency by burglary, other sex offenses, embezzlement and fraud, and forgery. These five offense groups together accounted for 72.8 percent of all major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938, 30.4

percent of these defendants were sentenced to prison or reformatory, 39.1 percent were placed on probation or received a suspended sentence, 19.0 percent were given jail sentences, and 10.6 percent were fined.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,958	100.0	2,548	100.0	2,330	100.0	2,703	100.0
Death	-	-	-	-	-	-	-	-
Prison or reformatory	899	30.4	730	28.6	717	30.8	867	32.1
Probation or suspended sentence	1,158	39.1	1,053	41.3	855	36.7	969	35.8
Local jails	561	19.0	500	19.6	488	20.9	621	23.0
Fine or costs only	315	10.6	235	9.2	252	10.8	237	8.8
Juvenile institutions	25	0.8	30	1.2	13	0.6	6	0.2
Other sentences	-	-	-	-	5	0.2	3	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1938

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	24,636	-	976	2,944	2,430	18,149	28	109
Major offenses, total	2,958	-	899	1,158	561	315	25	-
Murder	20	-	20	-	-	-	-	-
Manslaughter	34	-	16	7	5	6	-	-
Robbery	87	-	64	13	8	1	1	-
Aggravated assault	137	-	66	23	29	18	1	-
Burglary	499	-	188	234	68	2	7	-
Larceny, except auto theft	757	-	141	307	196	100	13	-
Auto theft	193	-	66	90	27	9	1	-
Embezzlement and fraud	281	-	34	132	44	71	-	-
Stolen property	36	-	5	19	4	8	-	-
Forgery	267	-	96	127	39	5	-	-
Rape	160	-	54	81	16	8	1	-
Commercialized vice	16	-	2	-	7	7	-	-
Other sex offenses	375	-	116	102	91	65	1	-
Violating drug laws	14	-	1	3	7	3	-	-
Carrying weapons, etc.	29	-	1	7	14	7	-	-
Other major offenses	53	-	29	13	6	5	-	-
Abortion	6	-	4	-	1	1	-	-
Arson	18	-	10	8	-	-	-	-
Bizamy	8	-	2	1	2	3	-	-
Blackmail and extortion	1	-	-	-	-	1	-	-
Escape and jail break	9	-	9	-	-	-	-	-
Kidnaping	3	-	3	-	-	-	-	-
Perjury	8	-	1	4	3	-	-	-
Other offenses:								
Minor assault	176	-	-	36	43	96	1	-
Nonsupport or neglect	327	-	25	263	36	3	-	-
Violating liquor laws	178	-	5	25	8	140	-	-
Driving while intoxicated	832	-	3	51	87	682	-	9
Other motor vehicle laws	15,485	-	8	151	83	15,143	-	100
Disorderly conduct and vagrancy	3,798	-	17	1,078	1,484	1,219	-	-
Gambling	41	-	-	1	-	40	-	-
All other offenses	841	-	19	181	128	511	2	-

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DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: 1938

WYOMING

There was a slight decrease in the percentage convictions resulting from charges of major crimes in the district courts of Wyoming in 1938 compared with 1937. This decrease, however, is small and the cases involved are so few in number that the differences observed between the two years in the disposition of major offenders are of no significance.

Table 1 shows the disposition of defendants in the district courts of the State for the past four years. Reports were received in 1935 from every district court in the State. In 1936, 1937, and 1938, respectively, the reports, on the basis of the 1930 population, covered 92.5 percent, 96.4 percent, and 93.9 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of	317	100.0	328	100.0	273	100.0	356	100.0
Dismissed without conviction	70	22.1	62	18.9	71	26.0	82	23.0
Dismissed	53	16.7	51	15.5	49	17.9	73	20.5
Jury waived, acquitted by court ..	5	1.6	-	-	1	0.4	-	-
Acquitted by jury	11	3.5	10	3.0	6	2.2	3	0.8
Other no-penalty dispositions	1	0.3	1	0.3	15	5.5	6	1.7
Convicted	247	77.9	266	81.1	202	74.0	274	77.0
Plea of guilty	233	73.5	241	73.5	187	68.5	234	65.7
Court finds guilty	8	2.5	11	3.4	3	1.1	19	5.3
Jury verdict guilty	6	1.9	14	4.3	12	4.4	21	5.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1938

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses	504	132	111	7	12	2	372	308	56	8
Major offenses, total ..	317	70	53	5	11	1	247	233	8	6
Murder	6	-	-	-	-	-	6	4	-	2
Involuntary manslaughter	1	-	-	-	-	-	1	1	-	-
Robbery	6	2	-	-	2	-	4	4	-	-
Aggravated assault	15	5	2	-	3	-	10	10	-	-
Burglary	64	4	2	2	-	-	60	59	1	-
Larceny, except auto theft	82	20	20	-	-	-	62	57	5	-
Auto theft	19	-	-	-	-	-	19	19	-	-
Embezzlement and fraud	30	9	6	-	2	1	21	19	-	2
False property	8	2	2	-	-	-	6	6	-	-
Forgery	50	7	5	1	1	-	43	42	1	-
Perjury	14	10	9	-	1	-	4	2	-	2
Commercialized vice	-	-	-	-	-	-	-	-	-	-
Other sex offenses	3	3	2	-	1	-	-	-	-	-
Violating drug laws	5	2	-	2	-	-	3	3	-	-
Carrying weapons, etc.	2	-	-	-	-	-	2	1	1	-
Other major offenses	12	6	5	-	1	-	6	6	-	-
Abortion	1	1	1	-	-	-	-	-	-	-
Arson	2	1	-	-	1	-	1	1	-	-
Bigamy	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion	4	4	4	-	-	-	-	-	-	-
Escape and jail break	3	-	-	-	-	-	3	3	-	-
Kidnaping	1	-	-	-	-	-	1	1	-	-
Perjury	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault	12	6	5	1	-	-	6	3	2	1
Insupport or neglect	13	7	6	-	1	-	6	4	1	1
Violating liquor laws	11	11	11	-	-	-	-	-	-	-
Driving while intoxicated	47	7	7	-	-	-	40	14	26	-
Other motor vehicle laws	9	3	3	-	-	-	6	6	-	-
Disorderly conduct and vagrancy	11	3	3	-	-	-	8	6	2	-
Drunk driving	6	3	3	-	-	-	3	3	-	-
Other offenses	78	22	20	1	-	1	56	39	17	-

From the detailed figures presented in table 2, showing the method of disposition by offense groups, it is seen that the most frequent major offense charged in these courts was larceny, followed in order by burglary, forgery, and embezzlement and fraud. These four groups together accounted for 71.3 percent of all the major offenses.

The type of sentence imposed on those defendants convicted of major offenses is shown for each of the past four years in table 3. In 1938 more

than 60 percent of these defendants were sentenced to prison, one-sixth (16.6 percent) were placed on probation or received a suspended sentence, 5.3 percent received jail sentences, and 12.6 percent were sent to juvenile institutions.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1938		1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	247	100.0	266	100.0	202	100.0	272	100.0
Death	1	0.4	-	-	1	0.5	-	-
Prison or reformatory	155	62.8	181	68.0	144	71.3	195	71.7
Probation or suspended sentence	41	16.6	46	17.3	28	13.9	54	19.9
Local jails	13	5.3	25	9.4	18	8.9	15	5.5
Fine or costs only	6	2.4	14	5.3	10	5.0	7	2.6
Juvenile institutions	31	12.6	-	-	-	-	-	-
Other sentences	-	-	-	-	1	0.5	1	0.4

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1938

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OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses	372	1	162	63	22	67	54	3
Major offenses, total	247	1	155	41	13	6	31	-
Murder	6	1	4	1	-	-	-	-
Manslaughter	1	-	-	-	-	1	-	-
Robbery	4	-	2	-	-	-	2	-
Aggravated assault	10	-	8	2	-	-	-	-
Burglary	60	-	43	11	-	-	6	-
Larceny, except auto theft	62	-	32	10	5	3	12	-
Auto theft	19	-	9	4	-	-	6	-
Embezzlement and fraud	21	-	15	5	-	-	1	-
Stolen property	6	-	3	2	-	1	-	-
Forgery	43	-	31	5	2	1	4	-
Rape	4	-	3	1	-	-	-	-
Commercialized vice	-	-	-	-	-	-	-	-
Other sex offenses	-	-	-	-	-	-	-	-
Violating drug laws	3	-	-	-	3	-	-	-
Carrying weapons, etc.	2	-	-	-	2	-	-	-
Other major offenses	6	-	5	-	1	-	-	-
Abortion	-	-	-	-	-	-	-	-
Arson	1	-	1	-	-	-	-	-
Bigamy	1	-	1	-	-	-	-	-
Blackmail and extortion	-	-	-	-	-	-	-	-
Escape and jail break	3	-	2	-	1	-	-	-
Kidnaping	1	-	1	-	-	-	-	-
Perjury	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault	6	-	1	2	1	2	-	-
Nonsupport or neglect	6	-	1	4	1	-	-	-
Violating liquor laws	-	-	-	-	-	-	-	-
Driving while intoxicated	40	-	-	2	3	32	-	3
Other motor vehicle laws	6	-	1	3	-	2	-	-
Disorderly conduct and vagrancy	8	-	-	-	-	6	2	-
Gambling	3	-	-	-	-	3	-	-
All other offenses	56	-	4	11	4	16	21	-

JUDICIAL CRIMINAL STATISTICS

1939



U. S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

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JUDICIAL CRIMINAL STATISTICS, 1939

INTRODUCTION

Twenty-five States, including the District of Columbia, co-operated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of by courts of general jurisdiction during the year 1939. This is the eighth year in which the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States; 24 States furnished information for 1933, 27 for 1934, 30 for 1935 and 1936, 29 for 1937, and 27 for 1938. During the present year (1939) two States, California and Indiana, were dropped from the annual collection. California was dropped because it was impossible to obtain reports from the largest county containing two-fifths of the State's population. We are informed by our special agent in Indiana that that State expects to report for 1940 and that the omission of 1939 was due to another project.

Scope of statistics.—The judicial criminal statistics gathered by the Bureau of the Census are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States there is a court of general jurisdiction in each county that has authority to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender charged with a felony will be tried in a court of general jurisdiction although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended, in certain instances, to minor courts such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders arrested on a felony charge are disposed of finally in minor courts either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor that is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal

statistics can cover all action taken in a criminal case from the point of arrest or the filing of the first charge to final disposition, will there be data available to give us an adequate picture of the administration of criminal justice.

Methods of collection.—The judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. It provides for the tallying of all defendants disposed of during the year by offense and method of disposition and for the tallying of all persons convicted by offense and sentence imposed. The 1939 data were collected by this tally-sheet method in 20 of the 25 States. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. For the District of Columbia, Minnesota, and 68 of the Ohio counties, the data were reported by means of individual-case cards.

The accuracy of the data reported on the tally sheets necessarily depends on the care with which clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that instructions are necessarily general in order to apply to many jurisdictions, that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally-sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The classification of cases according to offense and particular method of disposition or type of sentence also is quite difficult, and inasmuch as different clerks have different ideas as to how an offender should be classified, there is a resulting lack of uniformity in the data reported. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary is

available, it is not likely to be in the same terms or units as the census reports. Further, if errors have been made in the process of tallying, there is no way to check or eliminate them except to repeat the entire process.

A new method of collecting judicial criminal statistics on the basis of individual-case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia, and was continued during 1938 and 1939. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The classification and tabulation of these cards is done for a State by a central statistical agency, ensuring uniform classification and interpretation of the data reported from all counties. This method is far more flexible than the tally-sheet method, as it makes possible a more intensive analysis of the data collected, and, further, can quite easily be adapted to the particular record-keeping routines used by the different clerks of court. As more work is required to tabulate, analyze, and summarize reports collected under the individual-case method, it will be difficult for the Bureau of the Census to undertake the detailed work required in the collection of statistics by this method for a large number of States. The collection made in the three jurisdictions mentioned has been carried on as an experiment to test out the practicability of this system. It is hoped that the various States will establish their own statistical bureaus. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the establishment of such State bureaus. A State agency will be able to work out a system which fits the particular law, procedure, and practice of the State and can make much more detailed analysis of the statistics gathered than is possible by a national agency dealing with all States.

Limitations of the statistics.—There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page 9) that the 1939 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While most States usually have a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts that otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts

of the State and have complete power to dispose of felony cases. However, the municipal courts of that State have been granted power to dispose of felony cases where the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain adequate coverage of the felony convictions in that State.

There is a great deal of variance in the extent of jurisdiction possessed by the general trial courts even within a single State. These courts have essentially a residual jurisdiction; that is, they handle and dispose of all types of cases that are not specifically given over to some other court for disposal. In some States this jurisdiction is divided between general trial courts and minor courts, both having concurrent jurisdiction over misdemeanors. Frequently, in metropolitan counties the court of general jurisdiction will handle only felony cases, as the authority to dispose of all misdemeanor cases has been granted exclusively to the municipal court of the main city in the county. In the same State, however, the general trial courts in the rural counties will handle not only felony cases but also a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties of comparison in these statistics. As has been the case each year since 1935, summary and comparative analysis of State material is limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics, which would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There are no refinements of selection, however, which will make up for the fact that these statistics do not embody the results of the early stages of prosecution of felony cases. In many counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges in municipal or other minor courts before the cases ever reach the general trial courts, whereas in other counties very few felony cases will be disposed of in the minor courts, and the number of cases appearing in the trial courts will be, by comparison, exceedingly large. Consequently, it is impossible to assume that statistics of courts of general jurisdiction fully account for prosecution practices. This fact limits the conclusions that may be drawn concerning variations in procedural and sentencing practices from State to State.

ANALYSIS OF 1939 DATA

Disposition and sentence, by States.—

The 1939 report consists principally of summaries for each of the 25 co-operating States. For 24 States it was possible to present a 4-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence, for the years 1939, 1938, 1937, and 1936. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 25 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction, and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 29.0 percent in Pennsylvania to 1.1 percent in Rhode Island, and conversely, the proportion convicted ranges from 98.9 percent

in Rhode Island to 71.0 percent in Pennsylvania. For the 25 States taken individually, the median proportion convicted is 83.0 percent.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions account for the great majority of defendants eliminated, ranging from 100.0 percent in Rhode Island to 49.5 percent in Pennsylvania. The median proportion dismissed for the 25 States taken individually is 81.0 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States this is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 37.2 percent in Pennsylvania to none in Rhode Island. The median proportion of defendants acquitted by jury for the 25 States is 16.1 percent.

Table 3 shows the number and proportion

TABLE 1.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1939

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 25 States.....	70,265	15,336	21.8	54,929	78.2
Colorado.....	1,528	334	21.9	1,194	78.1
Connecticut ¹	954	111	11.6	843	88.4
District of Columbia.....	1,520	375	24.7	1,145	75.3
Idaho.....	594	84	14.1	510	85.9
Iowa.....	1,875	427	22.8	1,448	77.2
Kansas.....	1,805	405	22.4	1,400	77.6
Massachusetts.....	3,548	683	19.3	2,865	80.7
Michigan.....	4,173	863	20.7	3,310	79.3
Minnesota.....	2,069	196	9.5	1,873	90.5
Montana.....	375	54	14.4	321	85.6
New Hampshire.....	436	99	22.7	337	77.3
New Jersey.....	5,870	1,170	19.9	4,700	80.1
New Mexico.....	1,008	280	27.8	728	72.2
New York.....	10,153	2,229	22.0	7,924	78.0
North Dakota.....	584	79	13.5	505	86.5
Ohio.....	5,536	925	16.7	4,611	83.3
Oregon.....	1,136	193	17.0	943	83.0
Pennsylvania.....	19,937	5,779	29.0	14,158	71.0
Rhode Island.....	632	7	1.1	625	98.9
South Dakota.....	468	53	11.3	415	88.7
Utah.....	415	69	16.6	346	83.4
Vermont.....	425	97	22.8	328	77.2
Washington.....	1,614	254	15.7	1,360	84.3
Wisconsin.....	3,225	506	15.7	2,719	84.3
Wyoming.....	385	64	16.6	321	83.4

¹Statistics are for the year July 1, 1939 through June 30, 1940.

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TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1939

State	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Percent	Number	Percent	Number	Percent
Total, 25 States.....	15,336	10,006	65.2	1,391	9.1	3,939	25.7
Colorado.....	334	255	76.3	1	0.3	78	23.4
Connecticut ¹	111	95	85.6	11	9.9	5	4.5
District of Columbia.....	375	265	70.7	3	0.8	107	28.5
Idaho.....	84	68	81.0	-	-	16	19.0
Iowa.....	427	372	87.1	14	3.3	41	9.6
Kansas.....	405	337	83.2	7	1.7	61	15.1
Massachusetts.....	683	395	57.8	93	13.6	195	28.6
Michigan.....	863	677	78.4	81	9.4	105	12.2
Minnesota.....	196	140	71.4	-	-	56	28.6
Montana.....	54	44	81.5	-	-	10	18.5
New Hampshire.....	99	90	90.9	-	-	9	9.1
New Jersey.....	1,170	728	62.2	254	21.7	188	16.1
New Mexico.....	280	237	84.6	4	1.4	39	13.9
New York.....	2,229	1,656	74.3	-	-	573	25.7
North Dakota.....	79	69	87.3	1	1.3	9	11.4
Ohio.....	925	709	76.6	93	10.1	123	13.3
Oregon.....	193	158	81.9	3	1.6	32	16.6
Pennsylvania.....	5,779	2,858	49.5	770	13.3	2,151	37.2
Rhode Island.....	7	7	100.0	-	-	-	-
South Dakota.....	53	40	75.5	-	-	13	24.5
Utah.....	69	39	56.5	7	10.1	23	33.3
Vermont.....	97	85	87.6	1	1.0	11	11.3
Washington.....	254	195	76.8	1	0.4	58	22.8
Wisconsin.....	506	432	85.4	47	9.3	27	5.3
Wyoming.....	64	55	85.9	-	-	9	14.1

¹Statistics are for the year July 1, 1939 through June 30, 1940.

of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 100.0 percent in Rhode Island to 74.3 percent in Utah. The median percentage for the 25 States taken individually is 90.2 percent. Jury verdicts of guilty accounted for 22.3 percent of all convictions in Utah and none in Rhode Island. The median proportion of convictions by jury among the 25 States is 5.9 percent.

Table 4 shows, for each of the 25 States, the number and percent of those convicted and sentenced by type of sentence imposed. In Montana 77.6 percent of the defendants sentenced for major offenses received a prison sentence, while Pennsylvania, at the other end of the scale, showed only 13.5 percent of those convicted as sentenced to prison or death. For the 25 States the

median proportion of convicted defendants receiving a prison or death sentence is 45.4. Probation was used most extensively in Rhode Island, where 60.3 percent were reported as being placed on probation or given a suspended sentence. North Dakota reported the least use of this type of sentence with 14.1 percent, while the median percentage of the 25 States is 29.6. Pennsylvania reported the highest proportion of jail sentences, and Wyoming reported the lowest. The median percentage of defendants sentenced to jail is 14.9.

Disposition and sentence, by offense.—In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense, for the 25 States combined, it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. Five States, Michigan, New Jersey, New York, Ohio, and Pennsylvania account for nearly two-thirds (65.0 per-

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TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1939

State	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Percent	Number	Percent	Number	Percent
Total, 25 States.....	54,929	47,158	85.9	2,614	4.8	5,157	9.4
Colorado.....	1,194	1,065	89.2	9	0.8	120	10.1
Connecticut ¹	843	755	89.6	54	6.4	34	4.0
District of Columbia.....	1,145	955	83.4	1	0.1	189	16.5
Idaho.....	510	475	93.1	5	1.0	30	5.9
Iowa.....	1,448	1,373	94.8	20	1.4	55	3.8
Kansas.....	1,400	1,263	90.2	16	1.1	121	8.6
Massachusetts.....	2,865	2,450	85.5	103	3.6	312	10.9
Michigan.....	3,310	2,652	80.1	373	11.3	285	8.6
Minnesota.....	1,873	1,784	95.2	6	0.3	83	4.4
Montana.....	321	294	91.6	2	0.6	25	7.8
New Hampshire.....	337	334	99.1	-	-	3	0.9
New Jersey.....	4,700	4,103	87.3	374	8.0	223	4.7
New Mexico.....	728	661	90.8	5	0.7	62	8.5
New York.....	7,924	7,121	89.9	-	-	803	10.1
North Dakota.....	505	480	95.0	3	0.6	22	4.4
Ohio.....	4,611	4,070	88.3	236	5.1	305	6.6
Oregon.....	943	891	94.5	7	0.7	45	4.8
Pennsylvania.....	14,158	10,946	77.3	1,084	7.7	2,128	15.0
Rhode Island.....	625	625	100.0	-	-	-	-
South Dakota.....	415	374	90.1	22	5.3	19	4.6
Utah.....	346	257	74.3	12	3.5	77	22.3
Vermont.....	328	311	94.8	1	0.3	16	4.9
Washington.....	1,360	1,235	90.8	4	0.3	121	8.9
Wisconsin.....	2,719	2,373	87.3	277	10.2	69	2.5
Wyoming.....	321	311	96.9	-	-	10	3.1

¹Statistics are for the year July 1, 1939 through June 30, 1940.

ent) of the cases covered, while the other 10 States account for the remainder.

Table 5 shows the total number of defendants disposed of in the 25 States and those eliminated and convicted in each offense group. Burglary, auto theft, violations of drug laws, and forgery and counterfeiting show, in that order, the highest proportions of convictions, while manslaughter and assault show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 25 States for each of the three types of elimination. Defendants charged with forgery show the highest proportion of eliminations by dismissal and the lowest proportion of acquittals by jury. Defendants charged with murder show the lowest proportion of eliminations by dismissal and the highest proportion for acquittals by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 25 States by type of conviction. Forgery, burglary, and auto theft are the offense groups showing

the highest proportions of convictions by plea of guilty; and murder, assault, and manslaughter are those showing the lowest. Murder and manslaughter, however, show the highest proportions of convictions by jury verdict.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 25 States, by type of sentence imposed. As would be expected, nearly all prisoners convicted of murder were given a death or prison sentence. Of the 385 defendants shown in the table as receiving a death or prison sentence, 43 were given the death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of receiving, etc., stolen property, auto theft, and embezzlement and fraud. The offense groups showing the highest proportions of defendants given jail sentences were violating drug laws and carrying, etc., weapons.

As already pointed out, all reports received in the Census Bureau's collection

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1939

State	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 25 States	54,929	19,467	35.4	18,328	33.4	13,151	23.9	3,983	7.3
Colorado.....	1,194	777	65.1	348	29.1	51	4.3	18	1.5
Connecticut ²	843	313	37.1	233	27.6	271	32.1	26	3.1
District of Columbia	1,145	698	61.0	338	29.5	104	9.1	5	0.4
Idaho.....	510	292	57.3	139	27.3	76	14.9	3	0.6
Iowa.....	1,448	599	41.4	290	20.0	470	32.5	89	6.1
Kansas.....	1,400	911	65.1	318	22.7	151	10.8	20	1.4
Massachusetts.....	2,865	719	25.1	940	32.8	870	30.4	336	11.7
Michigan.....	3,310	1,430	43.2	1,511	45.6	214	6.5	155	4.7
Minnesota.....	1,873	859	45.9	740	39.5	212	11.3	62	3.3
Montana.....	321	249	77.6	46	14.3	13	4.0	13	4.0
New Hampshire.....	337	91	27.0	176	52.2	55	16.3	15	4.5
New Jersey.....	4,700	1,557	33.1	1,704	36.3	944	20.1	495	10.5
New Mexico.....	728	378	51.9	276	37.9	40	5.5	34	4.7
New York.....	7,924	3,361	42.4	2,772	35.0	1,729	21.8	62	0.8
North Dakota.....	505	270	53.5	71	14.1	108	21.4	56	11.1
Ohio.....	4,611	2,094	45.4	2,001	43.4	379	8.2	137	3.0
Oregon.....	943	437	46.3	342	36.3	145	15.4	19	2.0
Pennsylvania.....	14,158	1,913	13.5	3,764	26.6	6,474	45.7	2,007	14.2
Rhode Island.....	625	194	31.0	377	60.3	46	7.4	8	1.3
South Dakota.....	415	231	55.7	87	21.0	79	19.0	18	4.3
Utah.....	346	156	45.1	159	46.0	23	6.6	8	2.3
Vermont.....	328	134	40.9	97	29.6	53	16.2	44	13.4
Washington.....	1,360	778	57.2	356	26.2	203	14.9	23	1.7
Wisconsin.....	2,719	830	30.5	1,154	42.4	431	15.9	304	11.2
Wyoming.....	321	196	61.1	89	27.7	10	3.1	26	8.1

¹Includes 47 death sentences.²Statistics are for the year July 1, 1939 through June 30, 1940.

TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1939

Offense	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	70,265	15,336	21.8	54,929	78.2
Murder.....	659	242	36.7	417	63.3
Manslaughter.....	1,310	576	44.0	734	56.0
Robbery.....	4,692	938	20.0	3,754	80.0
Aggravated assault.....	5,754	2,275	39.5	3,479	60.5
Burglary.....	14,353	1,600	11.1	12,753	88.9
Larceny, except auto theft.....	15,431	2,603	16.9	12,828	83.1
Auto theft.....	4,546	620	13.6	3,926	86.4
Embezzlement and fraud.....	4,810	1,681	35.0	3,129	65.1
Stolen property, receiving, etc.	1,523	520	34.1	1,003	65.9
Forgery and counterfeiting.....	4,005	634	15.8	3,371	84.2
Rape.....	2,915	866	29.7	2,049	70.3
Commercialized vice.....	976	352	36.1	624	63.9
Other sex offenses.....	4,829	1,276	26.4	3,553	73.6
Violating drug laws.....	699	109	15.6	590	84.4
Carrying, etc., weapons.....	1,669	372	22.3	1,297	77.7
Other major offenses.....	2,094	672	32.1	1,422	67.9

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TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1939

Offense	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Percent	Number	Percent	Number	Percent
Total.....	15,336	10,006	65.2	1,391	9.1	3,939	25.7
Murder.....	242	110	45.5	8	3.3	124	51.2
Manslaughter.....	576	278	48.3	45	7.8	253	43.9
Robbery.....	938	534	56.9	56	6.0	348	37.1
Aggravated assault.....	2,275	1,222	53.7	338	14.9	715	31.4
Burglary.....	1,600	1,080	67.5	97	6.1	423	26.4
Larceny, except auto theft.....	2,603	1,719	66.0	265	10.2	619	23.8
Auto theft.....	620	442	71.3	62	10.0	116	18.7
Embezzlement and fraud.....	1,681	1,349	80.3	108	6.4	224	13.3
Stolen property, receiving, etc.	520	315	60.6	70	13.5	135	26.0
Forgery and counterfeiting.....	634	549	86.6	19	3.0	66	10.4
Rape.....	866	550	63.5	63	7.3	253	29.2
Commercialized vice.....	352	247	70.2	35	9.9	70	19.9
Other sex offenses.....	1,276	832	65.2	119	9.3	325	25.5
Violating drug laws.....	109	73	67.0	16	14.7	20	18.3
Carrying, etc., weapons.....	372	224	60.2	55	14.8	93	25.0
Other major offenses.....	672	482	71.7	35	5.2	155	23.1

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1939

Offense	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Percent	Number	Percent	Number	Percent
Total.....	54,929	47,158	85.9	2,614	4.8	5,157	9.4
Murder.....	417	211	50.6	15	3.6	191	45.8
Manslaughter.....	734	493	67.2	32	4.4	209	28.5
Robbery.....	3,754	2,923	77.9	156	4.2	675	18.0
Aggravated assault.....	3,479	2,289	65.8	458	13.2	732	21.0
Burglary.....	12,753	11,796	92.5	293	2.3	664	5.2
Larceny, except auto theft.....	12,828	11,527	89.9	570	4.4	731	5.7
Auto theft.....	3,926	3,596	91.6	120	3.1	210	5.3
Embezzlement and fraud.....	3,129	2,738	87.5	186	5.9	205	6.6
Stolen property, receiving, etc.	1,003	782	78.0	63	6.3	158	15.8
Forgery and counterfeiting.....	3,371	3,203	95.0	61	1.8	107	3.2
Rape.....	2,049	1,532	74.8	114	5.6	403	19.7
Commercialized vice.....	624	494	79.2	77	12.3	53	8.5
Other sex offenses.....	3,553	2,815	79.2	294	8.3	444	12.5
Violating drug laws.....	590	443	75.1	41	6.9	106	18.0
Carrying, etc., weapons.....	1,297	1,107	85.4	100	7.7	90	6.9
Other major offenses.....	1,422	1,209	85.0	34	2.4	179	12.6

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TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1939

Offense	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	54,929	19,467	35.4	18,328	33.4	13,151	23.9	3,983	7.3
Murder.....	417	¹ 385	92.3	2	0.5	29	7.0	1	0.2
Manslaughter.....	734	353	48.1	157	21.4	186	25.3	38	5.2
Robbery.....	3,754	2,456	65.4	626	16.7	586	15.6	86	2.3
Aggravated assault.....	3,479	1,092	31.4	995	28.6	1,137	32.7	255	7.3
Burglary.....	12,753	4,946	38.8	4,910	38.5	2,413	18.9	484	3.8
Larceny, except auto theft.....	12,828	3,434	26.8	4,794	37.4	3,739	29.1	861	6.7
Auto theft.....	3,926	1,307	33.3	1,587	40.4	836	21.3	196	5.0
Embezzlement and fraud.....	3,129	571	18.3	1,215	38.8	940	30.0	403	12.9
Stolen property, receiving, etc..	1,003	186	18.5	446	44.5	286	28.5	85	8.5
Forgery and counterfeiting.....	3,371	1,564	46.4	1,103	32.7	550	16.3	154	4.6
Rape.....	2,049	979	47.8	498	24.3	424	20.7	148	7.2
Commercialized vice.....	624	120	19.2	103	16.5	174	27.9	227	36.4
Other sex offenses.....	3,553	1,033	29.1	918	25.8	828	23.3	774	21.8
Violating drug laws.....	590	170	28.8	121	20.5	258	43.7	41	6.9
Carrying, etc., weapons.....	1,297	255	19.7	453	34.9	458	35.3	131	10.1
Other major offenses.....	1,422	² 616	43.3	400	28.1	307	21.6	99	7.0

¹Includes 43 death sentences.² Includes 4 death sentences for kidnaping.

of judicial criminal statistics are made voluntarily, and in some of the 20 States reporting by the tally-sheet method reports were not received from all clerks of court. Table 9 shows, by States, the total number of counties and the number of courts, by type, that furnished statistics for 1939 and the percentage of the population in each State that resides within the jurisdiction of the reporting courts. The percentage of the population covered in each State is based on the final 1940 census figure. Differences between the percentages shown in table 9 and those appearing on the State releases assembled at the end of this report, are due to the fact that final 1940 population figures were not available at the time that certain State releases were issued, making it necessary to use 1930 or preliminary 1940 population figures.

Table 10 has not been prepared in previous years. It represents an attempt to indicate the extent to which commitments to prison from courts of original felony jurisdiction in the State covered, reflect the actual admissions to the prisons and reformatories of their respective States. The most notable feature of this table is the fact that the number of men received at the penal institutions is frequently higher than the number reported as committed by the courts. In Rhode Island the number is over

two and one-half times as large. These differences are due to a variety of factors. (1) In some States many inmates classified by us as misdemeanants are incarcerated within the prisons and reformatories. Of the 512 Rhode Island admissions, 350 were of this category. (2) Probation is widely used in some jurisdictions. Revocations of probation do not appear in the judicial criminal statistics but they do swell prison admissions. (3) Cases referred to courts of appellate jurisdiction likewise do not appear in judicial criminal statistics but may swell prison admissions. It is believed, however, that this is not a major factor in any reporting State. (4) As mentioned in the discussion of the limitations of these statistics, there is no real uniformity of jurisdiction, and the prisons are undoubtedly receiving inmates from courts not reporting to the Census Bureau. There is evidence that these courts are primarily the local institutions of large municipalities, which deal primarily with misdemeanants, but commit an appreciable number of persons to the penal institutions. (5) In some States certain cases handled by juvenile courts are sent to State reformatories. There are 91 such cases in the 1939 Ohio totals. (6) In the absence of any checks within our control (Minnesota, District of Columbia, and 68 Ohio counties excepted) it is possible that there were omissions on

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TABLE 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1939
(All percents are based on 1940 population)

State	Number of counties in State	Number of reports received from each type of court								Percent of population coverage ¹
		Dis-trict	Cir-cuit	Super-ior	Common pleas	Quarter session andoyer andterminer	County	Munic-ipal	Crim-inal	
Colorado.....	63	61	-	-	-	-	-	-	-	99.8
Connecticut.....	8	-	-	9	5	-	-	-	-	100.0
District of Columbia.	1	1	-	-	-	-	-	-	-	100.0
Idaho.....	44	44	-	-	-	-	-	-	-	100.0
Iowa.....	99	85	-	-	-	-	-	-	-	80.6
Kansas.....	105	105	-	-	-	-	-	-	-	100.0
Massachusetts.....	14	-	-	14	-	-	-	-	-	100.0
Michigan.....	83	-	83	1	-	-	-	² 1	-	100.0
Minnesota.....	87	87	-	-	-	-	-	-	-	100.0
Montana.....	56	44	-	-	-	-	-	-	-	70.0
New Hampshire.....	10	-	-	10	-	-	-	-	-	100.0
New Jersey.....	21	-	-	-	-	21	-	-	-	100.0
New Mexico.....	31	30	-	-	-	-	-	-	-	98.0
New York.....	62	-	-	-	-	-	³ 62	-	-	99.0
North Dakota.....	53	52	-	-	-	-	-	-	-	98.5
Ohio.....	88	-	-	-	88	-	-	-	-	100.0
Oregon.....	36	-	32	-	-	-	-	-	-	88.0
Pennsylvania.....	67	-	-	-	-	67	-	-	-	100.0
Rhode Island.....	5	-	-	4	-	-	-	-	-	100.0
South Dakota.....	⁴ 69	-	60	-	-	-	-	-	-	94.4
Utah.....	29	29	-	-	-	-	-	-	-	100.0
Vermont.....	14	-	-	-	-	-	12	7	-	61.3
Washington.....	39	-	-	39	-	-	-	-	-	100.0
Wisconsin.....	71	-	58	2	-	-	19	10	-	93.0
Wyoming.....	23	23	-	-	-	-	-	-	-	100.0

¹Percent of population residing within jurisdictional limits of reporting courts. The final figures of the 1940 census are used in this table although earlier figures were used in some cases in the original State releases.

²Recorder's Court of Detroit.

³The following 5 counties reported in part: Erie, Essex, Lewis, Niagara, and Suffolk. Approximately 99.0 percent of the State's population was covered.

⁴Includes 5 unorganized counties which, for judicial purposes, are attached to other counties.

the reports made to us through State special agents by the court clerks. (7) On the other hand there are prisoners who, in terms of their offenses and/or sentences would be classed as felons serving in county and municipal institutions in New York, Pennsylvania, and other States.

SUMMARY AND CONCLUSION

The 1939 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the 1935, 1936, 1937, and 1938 data. As in 1938, the 1939 report is presented chiefly as a brief summary of the statistical data collected from the 25 co-operating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well

as for more detailed analysis of the data collected.

It is emphasized again that comparisons between States should be made only with extreme caution and that probably no general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary which shows, for defendants charged with major offenses, the distribution of sentences and dispositions for the years 1936, 1937, 1938, and 1939.

Again in 1939, as in the past years, these statistics indicate that from 70 to 80 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction were convicted. About two-thirds of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for

between 80 and 90 percent of all convictions. Not quite one-fifth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, slightly

more than one-third received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

TABLE 10.—COMPARISON OF COURT AND PRISON DATA FOR REPORTING STATES: 1939

State	Court sentences ¹		Percent of population coverage ²	Admissions to State prisons and reformatories from the courts
	Death penalty	Sentenced to State prisons and reformatories		
Colorado.....	5	788	99.8	856
Connecticut.....	-	345	100.0	566
District of Columbia.....	1	752	100.0	682
Idaho.....	-	297	100.0	246
Iowa.....	-	650	80.6	765
Kansas.....	-	968	100.0	908
Massachusetts.....	2	731	100.0	997
Michigan.....	-	1,578	100.0	2,626
Minnesota.....	-	879	100.0	1,059
Montana.....	1	252	70.0	353
New Hampshire.....	-	93	100.0	95
New Jersey.....	2	1,684	100.0	1,546
New Mexico.....	1	396	98.0	371
New York.....	23	3,416	99.0	3,165
North Dakota.....	-	286	98.5	235
Ohio.....	1	2,174	100.0	2,529
Oregon.....	-	458	88.0	525
Pennsylvania.....	9	2,033	100.0	2,382
Rhode Island.....	-	197	100.0	512
South Dakota.....	-	248	94.4	251
Utah.....	-	161	100.0	173
Vermont.....	-	165	61.3	278
Washington.....	2	789	100.0	795
Wisconsin.....	-	936	93.0	2,323
Wyoming.....	-	212	100.0	234

¹All offenses rather than the "major offense" group used in tables 1 through 9.

²Percent of population residing within jurisdictional limits of reporting courts. The final figures of the 1940 census are used in this table although earlier figures were used in some cases in the original State releases.

³The following 5 counties reported in part: Erie, Essex, Lewis, Niagara, and Suffolk. Approximately 99.0 percent of the State's population was covered.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: COLORADO, 1939

There were 1,528 defendants charged with major offenses who were disposed of by the district courts of Colorado during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 over three-fourths (78.1 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,528	100.0	1,546	100.0	1,567	100.0	1,419	100.0
Eliminated without conviction.....	334	21.9	273	17.7	388	24.8	451	31.8
Dismissed.....	243	15.9	168	10.9	266	17.0	343	24.2
Acquitted by court (jury waived)...	1	0.1	5	0.3	4	0.3	5	0.4
Acquitted by jury.....	78	5.1	74	4.8	93	5.9	64	4.5
Other no-penalty disposition.....	12	0.8	26	1.7	25	1.6	39	2.7
Convicted.....	1,194	78.1	1,273	82.3	1,179	75.2	968	68.2
Plea of guilty.....	1,065	69.7	1,093	70.7	1,006	64.2	834	58.8
Court finds guilty.....	9	0.6	32	2.1	5	0.3	17	1.2
Jury verdict guilty.....	120	7.9	148	9.6	168	10.7	117	8.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1939

Offense	Total defend- ants disposed of	Disposed of without conviction					Convicted			
		Total	Dis- missed	Acquit- ted by court (jury waived)	Acquit- ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver- dict guilty
All offenses.....	1,817	463	364	1	86	12	1,354	1,189	18	147
Major offenses, total.....	1,528	334	243	1	78	12	1,194	1,065	9	120
Murder.....	34	17	2	-	15	-	17	2	-	15
Manslaughter.....	29	10	3	1	6	-	19	11	1	7
Robbery.....	102	14	10	-	3	1	88	81	-	7
Aggravated assault.....	45	18	12	-	3	3	27	20	-	7
Burglary.....	347	41	35	-	6	-	306	292	2	12
Larceny, except auto theft.....	418	89	72	-	17	-	329	299	4	26
Auto theft.....	70	12	10	-	2	-	58	56	-	2
Embezzlement and fraud.....	148	40	34	-	5	1	108	101	-	7
Stolen property, receiving, etc.	34	1	-	-	1	-	33	27	-	6
Forgery and counterfeiting.....	127	18	15	-	-	3	109	102	1	6
Rape.....	101	51	35	-	13	3	50	36	1	13
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	47	12	8	-	4	-	35	26	-	9
Violating drug laws.....	3	3	3	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	23	8	4	-	3	1	15	12	-	3
Abortion.....	1	-	-	-	-	-	1	-	-	1
Arson.....	8	6	2	-	3	1	2	1	-	1
Bigamy.....	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	10	1	1	-	-	-	9	9	-	-
Perjury.....	3	1	1	-	-	-	2	1	-	1
Other offenses:										
Minor assault.....	33	10	9	-	1	-	23	17	-	6
Nonsupport or neglect.....	73	30	30	-	-	-	43	39	2	2
Violating liquor laws.....	30	10	7	-	3	-	20	11	2	7
Driving while intoxicated.....	9	3	2	-	1	-	6	5	-	1
Other motor-vehicle laws.....	12	4	3	-	1	-	8	8	-	-
Disorderly conduct and vagrancy.	2	1	1	-	-	-	1	-	1	-
Gambling.....	39	10	10	-	-	-	29	24	-	5
All other offenses.....	91	61	59	-	2	-	30	20	4	6

On the basis of the 1930 population, reports cover 97.0 percent of the population of the State in 1936, 98.3 percent in 1937, and 99.8 percent in 1938 and 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,194	100.0	1,273	100.0	1,179	100.0	965	100.0
Death penalty.....	5	0.4	4	0.3	3	0.3	2	0.2
State prisons and reformatories.....	772	64.7	841	66.1	838	71.1	656	68.0
Probation and suspended sentence....	348	29.1	321	25.2	249	21.1	216	22.4
Local jails, workhouses, etc.....	51	4.3	63	4.9	73	6.2	68	7.0
Fine or costs only.....	15	1.3	34	2.7	11	0.9	12	1.2
Institutions for juveniles.....	3	0.3	10	0.8	5	0.4	11	1.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,354	5	768	408	80	70	3	-
Major offenses, total.....	1,194	5	772	348	51	15	3	-
Murder.....	17	5	12	-	-	-	-	-
Manslaughter.....	19	-	6	5	8	-	-	-
Robbery.....	88	-	71	17	-	-	-	-
Aggravated assault.....	27	-	17	6	3	1	-	-
Burglary.....	306	-	207	98	-	1	-	-
Larceny, except auto theft.....	329	-	196	97	27	7	2	-
Auto theft.....	58	-	34	19	4	1	-	-
Embezzlement and fraud.....	108	-	58	43	4	3	-	-
Stolen property, receiving, etc..	33	-	15	13	4	1	-	-
Forgery and counterfeiting.....	109	-	76	32	-	-	1	-
Rape.....	50	-	41	8	1	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	35	-	29	6	-	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	15	-	10	4	-	1	-	-
Abortion.....	1	-	-	1	-	-	-	-
Arson.....	2	-	-	2	-	-	-	-
Bigamy.....	1	-	1	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	9	-	8	1	-	-	-	-
Perjury.....	2	-	1	-	-	1	-	-
Other offenses:								
Minor assault.....	23	-	2	3	13	5	-	-
Nonsupport or neglect.....	43	-	6	36	-	1	-	-
Violating liquor laws.....	20	-	-	2	4	14	-	-
Driving while intoxicated.....	6	-	2	2	2	-	-	-
Other motor-vehicle laws.....	8	-	-	6	1	1	-	-
Disorderly conduct and vagrancy..	1	-	-	-	-	1	-	-
Gambling.....	29	-	2	1	1	25	-	-
All other offenses.....	30	-	4	10	8	8	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: CONNECTICUT, 1939-1940*

There were 954 defendants charged with major offenses who were disposed of by the superior and common pleas courts of Connecticut during the fiscal year ending June 30, 1940, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939-1940* approximately 7 out of every 8 (88.4 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939-1940*, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939-40*		1938-39*		1937-38*		1936-37*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	954	100.0	1,029	100.0	1,168	100.0	950	100.0
Eliminated without conviction....	111	11.6	156	15.2	178	15.2	152	16.0
Dismissed.....	91	9.5	140	13.6	154	13.2	126	13.3
Acquitted by court (jury waived)	11	1.2	12	1.2	14	1.2	18	1.9
Acquitted by jury.....	5	0.5	1	0.1	2	0.2	1	0.1
Other no-penalty disposition...	4	0.4	3	0.3	8	0.7	7	0.7
Convicted.....	843	88.4	873	84.8	990	84.8	798	84.0
Plea of guilty.....	755	79.1	821	79.8	898	76.9	730	76.8
Court finds guilty.....	54	5.7	36	3.5	66	5.7	60	6.3
Jury verdict guilty.....	34	3.6	16	1.6	26	2.2	8	0.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1939-1940*

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,648	359	276	48	17	18	289	1,054	155	80
Major offenses, total.....	954	111	91	11	5	4	843	755	54	34
Murder.....	3	-	-	-	-	-	3	-	1	2
Manslaughter.....	33	13	9	3	1	-	20	16	2	2
Robbery.....	91	9	8	1	-	-	82	74	6	2
Aggravated assault.....	38	2	-	-	1	1	36	26	6	4
Burglary.....	244	17	14	2	-	1	227	216	8	3
Larceny, except auto theft.....	82	12	9	1	1	1	70	58	10	2
Auto theft.....	71	3	2	1	-	-	68	62	3	3
Embezzlement and fraud.....	77	9	7	1	1	-	68	59	6	3
Stolen property, receiving, etc..	13	-	-	-	-	-	13	13	-	-
Forgery and counterfeiting.....	15	1	-	-	1	-	14	13	1	-
Rape.....	60	9	9	-	-	-	51	47	2	2
Commercialized vice.....	12	1	1	-	-	-	11	10	1	-
Other sex offenses.....	146	22	20	1	-	1	124	114	6	4
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	11	1	1	-	-	-	10	8	-	2
Other major offenses.....	58	12	11	1	-	-	46	39	2	5
Abortion.....	16	4	4	-	-	-	12	11	-	1
Arson.....	14	4	3	1	-	-	10	8	1	1
Bigamy.....	9	2	2	-	-	-	7	7	-	-
Blackmail and extortion.....	3	2	2	-	-	-	1	1	-	-
Escape and jail break.....	15	-	-	-	-	-	15	11	1	3
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses:										
Minor assault.....	62	9	7	-	-	2	53	41	10	2
Insupport or neglect.....	40	23	20	3	-	-	17	10	7	-
Violating liquor laws.....	35	7	3	3	1	-	28	10	13	5
Driving while intoxicated.....	45	15	8	1	5	1	30	18	9	3
Other motor-vehicle laws.....	183	88	63	15	4	6	95	67	21	7
Disorderly conduct and vagrancy..	92	31	28	2	-	1	61	43	14	4
Gambling.....	61	9	6	3	-	-	52	39	12	1
All other offenses.....	176	66	50	10	2	4	110	71	15	24

*Statistics are for the year July 1 through June 30.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used for the same general classes of offenses. In in-

terpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939-40*		1938-39*		1937-38*		1936-37*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	843	100.0	873	100.0	990	100.0	788	100.0
Death penalty.....	-	-	2	0.2	-	-	2	0.3
State prisons and reformatories..	313	37.1	255	29.2	324	32.7	262	33.5
Probation and suspended sentence.	233	27.6	297	34.0	314	31.7	197	25.2
Local jails, workhouses, etc.....	271	32.1	304	34.8	322	32.5	287	36.7
Fine or costs only.....	26	3.1	15	1.7	29	2.9	33	4.2
Institutions for juveniles.....	-	-	-	-	1	0.1	-	-
Other sentences.....	-	-	-	-	-	-	2	0.3

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1939-1940*

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,289	-	345	316	392	236	-	-
Major offenses, total.....	843	-	313	233	271	26	-	-
Murder.....	3	-	3	-	-	-	-	-
Manslaughter.....	20	-	11	2	5	2	-	-
Robbery.....	82	-	52	15	15	-	-	-
Aggravated assault.....	36	-	18	4	14	-	-	-
Burglary.....	227	-	80	82	64	1	-	-
Larceny, except auto theft.....	70	-	11	21	32	6	-	-
Auto theft.....	68	-	26	23	19	-	-	-
Embezzlement and fraud.....	68	-	24	16	24	4	-	-
Stolen property, receiving, etc..	15	-	-	4	9	-	-	-
Forgery and counterfeiting.....	14	-	6	2	6	-	-	-
Rape.....	51	-	20	12	18	1	-	-
Commercialized vice.....	11	-	-	5	6	-	-	-
Other sex offenses.....	124	-	36	39	41	8	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	10	-	5	3	2	-	-	-
Other major offenses.....	46	-	21	5	16	4	-	-
Abortion.....	12	-	4	2	2	4	-	-
Arson.....	10	-	6	2	2	-	-	-
Bigamy.....	7	-	2	-	5	-	-	-
Blackmail and extortion.....	1	-	-	-	1	-	-	-
Escape and jail break.....	15	-	9	1	5	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	1	-	-	-
Other offenses:								
Minor assault.....	53	-	1	14	29	9	-	-
Nonsupport or neglect.....	17	-	-	8	4	5	-	-
Violating liquor laws.....	28	-	-	1	3	24	-	-
Driving while intoxicated.....	30	-	-	4	9	17	-	-
Other motor-vehicle laws.....	95	-	8	12	9	66	-	-
Disorderly conduct and vagrancy..	61	-	2	13	27	19	-	-
Gambling.....	52	-	-	4	4	44	-	-
All other offenses.....	110	-	21	27	36	26	-	-

*Statistics are for the year July 1 through June 30.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: DISTRICT OF COLUMBIA, 1939

There were 1,520 defendants charged with major offenses who were disposed of by the district court of the District of Columbia during the calendar year 1939, according to data obtained by the Bureau of the Census from the records of the court.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 three-fourths (75.3 percent) of all the defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,520	100.0	1,788	100.0	1,720	100.0	1,846	100.0
Eliminated without conviction.....	375	24.7	492	27.5	412	24.0	490	26.5
Dismissed.....	250	16.4	327	18.3	301	17.5	392	21.2
Acquitted by court (jury waived)...	3	0.2	7	0.4	-	-	6	0.3
Acquitted by jury.....	107	7.0	154	8.6	105	6.1	92	5.0
Other no-penalty disposition.....	15	1.0	4	0.2	6	0.3	-	-
Convicted.....	1,145	75.3	1,296	72.5	1,308	76.0	1,356	73.5
Plea of guilty.....	955	62.8	1,069	59.8	1,107	64.4	1,118	60.6
Court finds guilty.....	1	0.1	4	0.2	-	-	4	0.2
Jury verdict guilty.....	189	12.4	223	12.5	201	11.7	234	12.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT, BY OFFENSE:
DISTRICT OF COLUMBIA, 1939

Offense	Total defend- ants disposed of	Disposed of without conviction					Convicted			
		Total	Dis- missed	Acquit- ted by court (jury waived)	Acquit- ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver- dict guilty
All offenses.....	1,849	435	305	3	112	15	1,414	1,180	2	232
Major offenses, total.....	1,520	375	250	3	107	15	1,145	955	1	189
Murder.....	16	8	1	-	4	3	8	3	-	5
Manslaughter.....	33	6	1	-	5	-	27	18	-	9
Robbery.....	261	62	35	1	24	2	199	139	-	60
Aggravated assault.....	143	44	22	-	21	1	99	68	-	31
Burglary.....	300	39	30	1	7	1	261	242	-	19
Larceny, except auto theft.....	171	27	16	-	10	1	144	130	1	13
Auto theft.....	155	38	18	-	18	2	117	98	-	19
Embezzlement and fraud.....	113	64	61	-	1	2	49	46	-	3
Stolen property, receiving, etc.	45	22	12	-	10	-	23	20	-	3
Forgery and counterfeiting.....	81	10	10	-	-	-	71	67	-	4
Rape.....	28	10	7	-	3	-	18	11	-	7
Commercialized vice.....	4	1	-	-	-	1	3	1	-	2
Other sex offenses.....	5	1	-	-	-	1	4	4	-	-
Violating drug laws.....	139	33	30	1	1	1	106	97	-	9
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	26	10	7	-	3	-	16	11	-	5
Abortion.....	11	5	4	-	1	-	6	5	-	1
Arson.....	4	1	-	-	1	-	3	-	-	3
Bigamy.....	3	1	1	-	-	-	2	2	-	-
Blackmail and extortion.....	3	1	1	-	-	-	2	2	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	5	2	1	-	1	-	3	2	-	1
Other offenses:										
Minor assault.....	39	-	-	-	-	-	39	32	-	7
Nonsupport or neglect.....	11	4	4	-	-	-	7	7	-	-
Violating liquor laws.....	28	2	2	-	-	-	26	19	-	7
Driving while intoxicated.....	-	-	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy.	-	-	-	-	-	-	-	-	-	-
Gambling.....	239	48	43	-	5	-	191	162	1	28
All other offenses.....	12	6	6	-	-	-	6	5	-	1

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,145	100.0	1,296	100.0	1,308	100.0	1,320	100.0
Death penalty.....	1	0.1	1	0.1	4	0.3	1	0.1
State prisons and reformatories.....	697	60.9	776	59.9	713	54.5	829	62.8
Probation and suspended sentence....	338	29.5	349	26.9	451	34.5	285	21.6
Local jails, workhouses, etc.....	104	9.1	167	12.9	135	10.3	202	15.3
Fine or costs only.....	5	0.4	3	0.2	-	-	1	0.1
Institutions for juveniles.....	-	-	-	-	5	0.4	2	0.2
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,414	1	752	447	206	8	-	-
Major offenses, total.....	1,145	1	697	338	104	5	-	-
Murder.....	8	1	7	-	-	-	-	-
Manslaughter.....	27	-	21	-	6	-	-	-
Robbery.....	199	-	164	32	3	-	-	-
Aggravated assault.....	99	-	61	28	10	-	-	-
Burglary.....	261	-	167	83	11	-	-	-
Larceny, except auto theft.....	144	-	64	50	30	-	-	-
Auto theft.....	117	-	60	44	13	-	-	-
Embezzlement and fraud.....	49	-	16	21	7	5	-	-
Stolen property, receiving, etc..	23	-	9	13	1	-	-	-
Forgery and counterfeiting.....	71	-	34	28	9	-	-	-
Rape.....	18	-	9	8	1	-	-	-
Commercialized vice.....	3	-	1	1	1	-	-	-
Other sex offenses.....	4	-	4	-	-	-	-	-
Violating drug laws.....	106	-	70	25	11	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	16	-	10	5	1	-	-	-
Abortion.....	6	-	3	2	1	-	-	-
Arson.....	3	-	3	-	-	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	2	-	1	1	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	3	-	3	-	-	-	-	-
Other offenses:								
Minor assault.....	39	-	-	13	26	-	-	-
Nonsupport or neglect.....	7	-	-	7	-	-	-	-
Violating liquor laws.....	26	-	8	6	12	-	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	191	-	46	81	61	3	-	-
All other offense.....	6	-	1	2	3	-	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: IDAHO, 1939

There were 594 defendants charged with major offenses who were disposed of by the district courts in Idaho during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census. Table 1 shows the disposition of these defendants for each of the last 4 years.

In 1939 approximately 6 out of every 7 (85.9 per cent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	594	100.0	510	100.0	432	100.0	449	100.0
Disposed of without conviction.....	84	14.1	86	16.9	55	12.7	77	17.1
Dismissed.....	61	10.3	65	12.7	36	8.3	53	11.8
Acquitted by court (jury waived)...	-	-	6	1.2	1	0.2	3	0.7
Acquitted by jury.....	16	2.7	13	2.5	15	3.5	17	3.8
Other no-penalty disposition.....	7	1.2	2	0.4	3	0.7	4	0.9
Convicted.....	510	85.9	424	83.1	377	87.3	372	82.9
Plea of guilty.....	475	80.0	373	73.1	320	74.1	327	72.8
Court finds guilty.....	5	0.8	18	3.5	11	2.5	10	2.2
Jury finds guilty.....	30	5.1	33	6.5	46	10.6	35	7.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea of guilty	Court finds guilty (jury waived)	Jury finds guilty
All offenses.....	687	116	87	2	17	10	571	524	10	37
Major offenses, total.....	594	84	61	-	16	7	510	475	5	30
Murder.....	11	4	-	-	4	-	7	2	-	5
Sl slaughter.....	14	3	2	-	1	-	11	4	1	6
Rape.....	17	3	1	-	2	-	14	13	-	1
Aggravated assault.....	22	5	5	-	-	-	17	14	1	2
Robbery.....	171	14	14	-	-	-	157	152	1	4
Larceny—except auto theft.....	10	13	7	-	5	1	97	94	-	3
Auto theft.....	5	1	1	-	-	-	4	4	-	-
Embezzlement and fraud.....	15	4	3	-	1	-	11	10	-	1
Receiving, etc., stolen property.....	16	7	6	-	1	-	9	9	-	-
Forgery and counterfeiting.....	152	14	9	-	2	3	138	133	1	4
Passports.....	23	7	7	-	-	-	16	14	-	2
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	7	-	-	-	-	-	7	7	-	-
Violating drug laws.....	2	2	-	-	-	2	-	-	-	-
Carrying, etc., weapons.....	6	2	2	-	-	-	4	4	-	-
Other major offenses.....	23	5	4	-	-	1	18	15	1	2
Prostitution.....	-	-	-	-	-	-	-	-	-	-
Person.....	2	-	-	-	-	-	2	1	1	-
Extortion.....	5	-	-	-	-	-	5	5	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	8	1	-	-	-	1	7	7	-	-
Kidnaping.....	6	4	4	-	-	-	2	-	-	2
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses:										
Simple assault.....	6	-	-	-	-	-	6	3	-	3
Support or neglect.....	21	11	9	1	-	1	10	6	3	1
Violating liquor laws.....	11	3	2	1	-	-	8	7	-	1
Driving while intoxicated.....	10	3	3	-	-	-	7	6	-	1
Other motor-vehicle laws.....	6	3	2	-	1	-	3	3	-	-
Disorderly conduct and vagrancy..	13	5	3	-	-	2	8	8	-	-
Loitering.....	5	-	-	-	-	-	5	5	-	-
Other offenses.....	21	7	7	-	-	-	14	11	2	1

On the basis of the 1930 population, reports cover 100 percent of the population of the State in 1939, 1937, and 1936.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPES OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	510	100.0	424	100.0	377	100.0	372	100.0
Death penalty.....	-	-	-	-	1	0.3	-	-
State prisons and reformatories.....	292	57.3	241	56.8	197	52.3	199	53.5
Probation or suspended sentence.....	139	27.3	94	22.2	90	23.9	90	24.2
Local jails, workhouses, etc.....	76	14.9	78	18.4	81	21.5	64	17.2
Fine or costs only.....	1	0.2	2	0.5	2	0.5	3	0.8
Institutions for juveniles.....	2	0.4	9	2.1	6	1.6	5	1.3
Other sentences.....	-	-	-	-	-	-	11	3.0

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	571	-	297	162	94	15	3	-
Major offenses, total.....	510	-	292	139	76	1	2	-
Murder.....	7	-	5	2	-	-	-	-
Manslaughter.....	11	-	6	3	2	-	-	-
Robbery.....	14	-	10	3	1	-	-	-
Aggravated assault.....	17	-	10	1	5	1	-	-
Burglary.....	157	-	88	52	16	-	1	-
Larceny—except auto theft.....	97	-	47	26	23	-	1	-
Auto theft.....	4	-	1	3	-	-	-	-
Embezzlement and fraud.....	11	-	5	3	3	-	-	-
Receiving, etc., stolen property..	9	-	4	3	2	-	-	-
Forgery and counterfeiting.....	138	-	92	31	15	-	-	-
Rape.....	16	-	12	3	1	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	7	-	3	1	3	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	4	-	-	3	1	-	-	-
Other major offenses.....	18	-	9	5	4	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	1	1	-	-	-	-
Bigamy.....	5	-	3	2	-	-	-	-
Blackmail and extortion.....	1	-	-	1	-	-	-	-
Escape and jail break.....	7	-	5	1	1	-	-	-
Kidnaping.....	2	-	-	-	2	-	-	-
Perjury.....	1	-	-	-	1	-	-	-
Other offenses:								
Minor assault.....	6	-	-	7	5	1	-	-
Nonsupport or neglect.....	10	-	-	9	1	-	-	-
Violating liquor laws.....	8	-	1	4	3	-	-	-
Driving while intoxicated.....	7	-	2	3	1	1	-	-
Other motor-vehicle laws.....	3	-	-	-	3	-	-	-
Disorderly conduct and vagrancy...	8	-	-	1	1	6	-	-
Gambling.....	5	-	-	-	-	5	-	-
All other offenses.....	14	-	2	6	4	1	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: IOWA, 1939

There were 1,875 defendants charged with major offenses who were disposed of by the district courts of Iowa during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

ants for each of the last 4 years. In 1939 over three-fourths (77.2 percent) of all defendants disposed of were convicted.
Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,875	100.0	1,641	100.0	1,572	100.0	1,352	100.0
Eliminated without conviction....	427	22.8	332	20.2	348	22.1	366	27.1
Dismissed.....	359	19.1	289	17.6	308	19.6	327	24.2
Acquitted by court(jury waived)	14	0.7	10	0.6	2	0.1	2	0.1
Acquitted by jury.....	41	2.2	32	2.0	30	1.9	26	1.9
Other no-penalty disposition...	13	0.7	1	0.1	8	0.5	11	0.8
Convicted.....	1,448	77.2	1,309	79.8	1,224	77.9	986	72.9
Plea of guilty.....	1,373	73.2	1,225	74.6	1,146	72.9	925	68.4
Court finds guilty.....	20	1.1	31	1.9	26	1.7	16	1.2
Jury verdict guilty.....	55	2.9	53	3.2	52	3.3	45	3.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IOWA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,859	920	782	21	101	16	2,939	2,795	47	97
Major offenses, total.....	1,875	427	359	14	41	13	1,448	1,373	20	55
Murder.....	15	5	-	-	5	-	10	9	-	1
Manslaughter.....	20	7	6	-	1	-	13	10	-	3
Robbery.....	63	24	22	1	-	1	39	35	-	4
Aggravated assault.....	85	25	10	7	5	3	60	54	-	6
Burglary.....	254	30	27	-	1	2	224	218	-	6
Larceny, except auto theft.....	482	65	52	1	10	2	417	395	13	9
Auto theft.....	142	18	18	-	-	-	124	123	1	-
Embezzlement and fraud.....	232	108	98	1	7	2	124	114	2	8
Stolen property, receiving, etc..	22	6	4	1	1	-	16	14	1	1
Forgery and counterfeiting.....	240	47	45	1	1	-	193	189	1	3
Rape.....	53	17	16	-	1	-	36	28	1	7
Commercialized vice.....	10	2	2	-	-	-	8	8	-	-
Other sex offenses.....	142	42	37	-	3	2	100	96	1	3
Violating drug laws.....	17	3	3	-	-	-	14	13	-	1
Carrying, etc., weapons.....	19	5	1	-	4	-	14	14	-	-
Other major offenses.....	79	23	18	2	2	1	56	53	-	3
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	18	7	4	2	-	1	11	11	-	-
Bigamy.....	9	-	-	-	-	-	9	9	-	-
Blackmail and extortion.....	4	2	1	-	1	-	2	2	-	-
Escape and jail break.....	34	2	1	-	1	-	32	31	-	1
Kidnaping.....	7	7	7	-	-	-	-	-	-	-
Perjury.....	7	5	5	-	-	-	2	-	-	2
Other offenses:										
Minor assault.....	51	21	19	-	2	-	30	27	-	3
Nonsupport or neglect.....	205	133	123	3	7	-	72	70	-	2
Violating liquor laws.....	230	59	54	1	4	-	171	160	3	8
Driving while intoxicated.....	907	121	76	1	43	1	786	754	9	23
Other motor-vehicle laws.....	211	16	15	-	1	-	195	192	1	2
Disorderly conduct and vagrancy..	74	12	12	-	-	-	62	59	3	-
Gambling.....	56	13	13	-	-	-	43	42	1	-
All other offenses.....	250	118	111	2	3	2	132	118	10	4

On the basis of the 1930 population, reports cover 62.5 percent of the population of the State in 1936, 65.7 percent in 1937, 77.5 percent in 1938, and (on the basis of the 1940 preliminary population) 80.6 percent in 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,448	100.0	1,309	100.0	1,224	100.0	983	100.0
Death penalty.....	-	-	1	0.1	1	0.1	2	0.2
State prisons and reformatories...	599	41.4	577	44.1	526	43.0	408	41.5
Probation and suspended sentence.	290	20.0	206	15.7	187	15.3	229	23.3
Local jails, workhouses, etc.....	470	32.5	441	33.7	455	37.2	295	30.0
Fines or costs only.....	73	5.0	1	4.7	4	3.6	41	4.2
Institutions for juveniles.....	16	1.1	23	1.8	11	0.9	8	0.8
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IOWA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fines or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	2,939	-	650	553	972	739	24	1
Major offenses, total.....	1,448	-	599	290	470	73	16	-
Murder.....	10	-	10	-	-	-	-	-
Manslaughter.....	13	-	9	3	1	-	-	-
Robbery.....	39	-	33	5	1	-	-	-
Aggravated assault.....	60	-	32	7	21	-	-	-
Burglary.....	224	-	86	57	73	8	-	-
Larceny, except auto theft.....	417	-	120	82	186	19	10	-
Auto theft.....	124	-	56	31	25	10	2	-
Embezzlement and fraud.....	124	-	49	27	45	3	-	-
Stolen property, receiving, etc..	16	-	1	4	8	2	1	-
Forgery and counterfeiting.....	193	-	86	37	65	2	3	-
Rape.....	36	-	29	4	3	-	-	-
Commercialized vices.....	8	-	5	3	-	-	-	-
Other sex offenses.....	100	-	36	18	32	14	-	-
Violating drug laws.....	14	-	2	2	-	10	-	-
Carrying, etc., weapons.....	14	-	2	5	5	2	-	-
Other major offenses.....	56	-	43	5	5	3	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	11	-	9	2	-	-	-	-
Bigamy.....	9	-	4	1	2	2	-	-
Blackmail and extortion.....	2	-	-	-	1	1	-	-
Escapes and jail break.....	32	-	28	2	2	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	2	-	2	-	-	-	-	-
Other offenses:								
Minor assault.....	30	-	-	7	17	5	1	-
Nonsupport or neglect.....	72	-	7	56	7	2	-	-
Violating liquor laws.....	11	-	6	16	71	77	1	-
Driving while intoxicated.....	788	-	12	87	322	365	-	-
Other motor-vehicle laws.....	195	-	11	21	24	138	1	-
Disorderly conduct and vagrancy..	62	-	4	25	19	14	-	-
Gambling.....	43	-	-	1	3	39	-	-
All other offenses.....	32	-	11	50	39	26	5	1

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: KANSAS, 1939

There were 1,805 defendants charged with major offenses who were disposed of by the district courts of Kansas during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census. Table 1 shows the disposition of these defendants for each of the last 4

years. In 1939 approximately three-fourths (77.6 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,805	100.0	1,658	100.0	1,793	100.0	1,842	100.0
Eliminated without conviction.....	405	22.4	364	22.0	452	25.2	464	25.2
Dismissed.....	335	18.6	285	16.0	380	21.2	374	20.3
Acquitted by court (jury waived)...	7	0.4	20	1.2	3	0.2	2	0.1
Acquitted by jury.....	61	3.4	61	3.7	54	3.0	61	3.3
Other no-penalty disposition.....	2	0.1	18	1.1	15	0.8	27	1.5
Convicted.....	1,400	77.6	1,294	78.0	1,341	74.8	1,378	74.8
Plea of guilty.....	1,263	70.0	1,093	65.9	1,164	64.9	1,205	65.4
Court finds guilty.....	16	0.9	37	2.2	20	1.1	7	0.4
Jury verdict guilty.....	121	6.7	164	9.9	157	8.8	166	9.0

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,661	766	663	11	87	5	1,895	1,704	21	170
Major offenses, total.....	1,805	405	335	7	61	2	1,400	1,263	16	121
Murder.....	29	7	2	-	4	1	22	9	1	12
Manslaughter.....	22	7	6	-	1	-	15	10	-	5
Robbery.....	71	20	13	-	7	-	51	41	-	10
Aggravated assault.....	55	16	8	-	8	-	39	29	-	10
Burglary.....	301	46	38	2	6	-	255	241	2	12
Larceny, except auto theft.....	554	84	77	1	6	-	470	448	1	21
Auto theft.....	76	9	8	1	-	-	67	65	1	1
Embezzlement and fraud.....	174	88	81	1	6	-	86	72	-	14
Stolen property, receiving, etc..	27	7	7	-	-	-	20	19	-	1
Forgery and counterfeiting.....	258	45	44	-	1	-	213	200	6	7
Rape.....	100	36	22	1	12	1	64	45	4	15
Commercialized vice.....	6	3	3	-	-	-	3	3	-	-
Other sex offenses.....	35	12	6	1	5	-	23	14	-	9
Violating drug laws.....	20	8	6	-	2	-	12	11	-	1
Carrying, etc., weapons.....	4	-	-	-	-	-	4	4	-	-
Other major offenses.....	73	17	14	-	3	-	56	52	1	3
Abortion.....	1	1	1	-	-	-	-	-	-	-
Arson.....	24	6	5	-	1	-	18	17	1	-
Bigamy.....	13	1	-	-	1	-	12	12	-	-
Blackmail and extortion.....	5	3	2	-	1	-	2	2	-	-
Escape and jail break.....	18	1	1	-	-	-	17	15	-	2
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	12	5	5	-	-	-	7	6	-	1
Other offenses:										
Minor assault.....	44	17	16	-	1	-	27	24	-	3
Nonsupport or neglect.....	95	58	54	2	2	-	37	35	-	2
Violating liquor laws.....	500	183	167	-	15	1	317	289	3	25
Driving while intoxicated.....	56	24	21	-	3	-	32	28	-	4
Other motor-vehicle laws.....	25	14	12	1	1	-	11	7	-	4
Disorderly conduct and vagrancy..	30	19	18	1	-	-	11	10	-	1
Gambling.....	30	13	13	-	-	-	17	16	-	1
All other offenses.....	76	33	27	-	4	2	43	32	2	9

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,400	100.0	1,294	100.0	1,341	100.0	1,371	100.0
Death penalty.....	-	-	-	-	1	0.1	1	0.1
State prisons and reformatories.....	911	65.1	1,009	78.0	961	71.7	1,014	74.0
Probation and suspended sentence....	318	22.7	117	9.0	203	15.1	198	14.4
Local jails, workhouses, etc.....	151	10.8	110	8.5	158	11.8	128	9.3
Fine or costs only.....	20	1.4	53	4.1	16	1.2	25	1.8
Institutions for juveniles.....	-	-	4	0.3	2	0.1	-	-
Other sentences.....	-	-	1	0.1	-	-	5	0.4

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,895	-	968	482	364	81	-	-
Major offenses, total.....	1,400	-	911	318	151	20	-	-
Murder.....	22	-	22	-	-	-	-	-
Manslaughter.....	15	-	11	2	2	-	-	-
Robbery.....	51	-	45	5	1	-	-	-
Aggravated assault.....	39	-	19	9	10	1	-	-
Burglary.....	255	-	208	37	10	-	-	-
Larceny, except auto theft.....	470	-	254	128	76	12	-	-
Auto theft.....	67	-	49	10	7	1	-	-
Embezzlement and fraud.....	86	-	38	36	10	2	-	-
Stolen property, receiving, etc..	20	-	10	6	4	-	-	-
Forgery and counterfeiting.....	213	-	142	53	15	3	-	-
Rape.....	64	-	49	9	6	-	-	-
Commercialized vice.....	3	-	2	-	-	1	-	-
Other sex offenses.....	23	-	15	6	2	-	-	-
Violating drug laws.....	12	-	10	2	-	-	-	-
Carrying, etc., weapons.....	4	-	2	1	1	-	-	-
Other major offenses.....	56	-	35	14	7	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	18	-	11	6	1	-	-	-
Bigamy.....	12	-	4	3	5	-	-	-
Blackmail and extortion.....	2	-	1	1	-	-	-	-
Escape and jail break.....	17	-	16	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	7	-	3	4	-	-	-	-
Other offenses:								
Minor assault.....	27	-	-	10	14	3	-	-
Nonsupport or neglect.....	37	-	13	22	-	2	-	-
Violating liquor laws.....	317	-	35	104	164	14	-	-
Driving while intoxicated.....	32	-	-	6	14	12	-	-
Other motor-vehicle laws.....	11	-	-	3	2	6	-	-
Disorderly conduct and vagrancy..	11	-	-	-	6	5	-	-
Gambling.....	17	-	1	8	3	5	-	-
All other offenses.....	43	-	8	11	10	14	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: MASSACHUSETTS, 1939

There were 3,548 defendants charged with major offenses who were disposed of by the superior courts of Massachusetts during the calendar year 1939, according to data reported by the Department of Correction to the Bureau of the Census. Table 1 shows the disposition of these defendants for each

of the last 4 years. In 1939 approximately four-fifths (80.7 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,548	100.0	3,085	100.0	3,044	100.0	2,891	100.0
Eliminated without conviction.....	683	19.3	692	22.4	515	16.9	578	20.0
Dismissed.....	393	11.1	441	14.3	304	10.0	312	10.8
Acquitted by court (jury waived).....	93	2.6	109	3.5	66	2.2	45	1.6
Acquitted by jury.....	195	5.5	139	4.5	145	4.8	221	7.6
Other no-penalty disposition.....	2	0.1	3	0.1	-	-	-	-
Convicted.....	2,865	80.7	2,393	77.6	2,529	83.1	2,313	80.0
Plea of guilty.....	2,450	69.1	2,041	66.2	2,129	69.9	1,981	68.5
Court finds guilty.....	103	2.9	137	4.4	76	2.5	64	2.2
Jury verdict guilty.....	312	8.8	215	7.0	324	10.6	268	9.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1939

Offense	Total defend- ants disposed of	Disposed of without conviction					Convicted			
		Total	Dis- missed	Acquit- ted by court (jury waived)	Acquit- ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver- dict guilty
All offenses.....	4,208	883	555	101	225	2	3,325	2,831	140	354
Major offenses, total.....	3,548	683	393	93	195	2	2,865	2,450	103	312
Murder.....	17	9	5	-	2	2	8	8	-	-
Manslaughter.....	41	29	17	5	7	-	12	9	-	3
Robbery.....	416	74	28	13	33	-	342	259	13	70
Aggravated assault.....	168	31	6	8	17	-	137	99	14	24
Burglary.....	1,057	88	43	9	36	-	969	891	12	66
Larceny, except auto theft.....	*527	82	57	8	17	-	445	400	18	27
Auto theft.....	354	68	43	16	9	-	286	254	8	24
Embezzlement and fraud.....	(*)	-	-	-	-	-	-	-	-	-
Stolen property, receiving, etc.	59	8	5	-	3	-	51	31	1	19
Forgery and counterfeiting.....	44	2	1	-	1	-	42	39	-	3
Rape.....	241	41	16	15	10	-	200	154	16	30
Commercialized vice.....	187	173	144	-	29	-	14	13	1	-
Other sex offense.....	125	24	9	7	8	-	101	80	9	12
Violating drug laws.....	42	6	-	1	5	-	36	25	3	8
Carrying, etc., weapons.....	87	9	1	-	8	-	78	69	5	4
Other major offenses.....	183	39	18	11	10	-	144	119	3	22
Abortion.....	58	10	5	2	3	-	48	37	1	10
Arson.....	44	14	5	4	5	-	30	25	1	4
Bigamy.....	14	1	1	-	-	-	13	12	1	-
Blackmail and extortion.....	4	-	-	-	-	-	4	3	-	1
Escape and jail break.....	25	4	4	-	-	-	21	19	-	2
Kidnaping.....	7	5	1	4	-	-	2	-	-	2
Perjury.....	31	5	2	1	2	-	26	23	-	3
Other offenses:										
Minor assault.....	115	9	6	-	3	-	106	73	14	19
Nonsupport or neglect.....	198	115	111	3	1	-	83	79	3	1
Violating liquor laws.....	5	-	-	-	-	-	5	5	-	-
Driving while intoxicated.....	29	4	-	-	4	-	25	20	2	3
Other motor-vehicle laws.....	125	17	4	-	13	-	108	90	7	11
Disorderly conduct and vagrancy.....	23	6	1	1	4	-	17	17	-	-
Gambling.....	64	15	15	-	-	-	49	48	-	1
All other offenses.....	101	34	25	4	5	-	67	49	11	7

*Larceny, except auto theft, includes embezzlement and fraud.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,865	100.0	2,393	100.0	2,529	100.0	2,313	100.0
Death penalty.....	2	0.1	1	(a)	1	(a)	1	(a)
State prisons and reformatories.....	717	25.0	644	26.9	774	30.6	714	30.9
Probation and suspended sentence.....	940	32.8	854	35.7	736	29.1	721	31.2
Local jails, workhouses, etc.....	870	30.4	609	25.4	695	27.5	531	23.0
Fine or costs only.....	21	0.7	17	0.7	24	0.9	46	2.0
Institutions for juveniles.....	-	-	-	-	-	-	-	-
On file after conviction.....	315	11.0	268	11.2	299	11.8	300	13.0

(a) Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	On file after conviction
All offenses.....	3,325	2	731	1,117	1,021	84	-	370
Major offenses, total.....	2,865	2	717	940	870	21	-	315
Murder.....	8	2	6	-	-	-	-	-
Manslaughter.....	12	-	6	-	6	-	-	-
Robbery.....	342	-	182	53	79	-	-	28
Aggravated assault.....	137	-	29	38	56	3	-	11
Burglary.....	969	-	241	430	204	-	-	94
Larceny, except auto theft.....	*445	-	73	169	141	1	-	61
Auto theft.....	286	-	43	71	137	2	-	33
Embezzlement and fraud.....	(*)	-	-	-	-	-	-	-
Stolen property, receiving, etc....	51	-	5	20	13	4	-	9
Forgery and counterfeiting.....	42	-	2	15	20	-	-	5
Rape.....	200	-	66	50	66	-	-	18
Commercialized vice.....	14	-	1	1	-	4	-	8
Other sex offenses.....	101	-	26	34	28	3	-	10
Violating drug laws.....	36	-	7	5	19	-	-	5
Carrying, etc., weapons.....	78	-	3	19	40	1	-	15
Other major offenses.....	144	-	27	35	61	3	-	18
Abortion.....	48	-	10	12	16	1	-	9
Arson.....	30	-	6	13	7	-	-	4
Bigamy.....	13	-	3	5	2	-	-	3
Blackmail and extortion.....	4	-	1	2	1	-	-	-
Escape and jail break.....	21	-	4	-	17	-	-	-
Kidnaping.....	2	-	2	-	-	-	-	-
Perjury.....	26	-	1	3	18	2	-	2
Other offenses:								
Minor assault.....	106	-	-	45	45	11	-	5
Nonsupport or neglect.....	83	-	7	61	8	-	-	7
Violating liquor laws.....	5	-	-	4	-	1	-	-
Driving while intoxicated.....	25	-	-	1	11	12	-	1
Other motor-vehicle laws.....	108	-	4	21	50	15	-	18
Disorderly conduct and vagrancy....	17	-	-	6	7	-	-	4
Gambling.....	49	-	-	12	9	18	-	10
All other offenses.....	67	-	3	27	21	6	-	10

*Larceny, except auto theft, includes embezzlement and fraud.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: MICHIGAN, 1939

There were 4,173 defendants charged with major offenses who were disposed of by the trial courts of Michigan, according to data reported by the Department of Corrections to the Bureau of the Census. Table 1 shows the disposition of these defendants for each of the last 4 years. In 1939 approx-

imately four-fifths (79.3 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	4,173	100.0	4,623	100.0	4,723	100.0	2,624	100.0
Eliminated without conviction....	863	20.7	949	20.5	822	17.4	424	16.2
Dismissed.....	370	8.9	518	11.2	467	9.9	292	11.1
Acquitted by court(jury waived)	81	1.9	130	2.8	73	1.5	17	0.6
Acquitted by jury.....	105	2.5	78	1.7	224	4.7	80	3.0
Other no-penalty disposition...	307	7.4	223	4.8	58	1.2	35	1.3
Convicted.....	3,310	79.3	3,674	79.5	3,901	82.6	2,200	83.8
Plea of guilty.....	2,652	63.6	2,987	64.6	3,092	65.5	1,821	69.4
Court finds guilty.....	373	8.9	379	8.2	241	5.1	92	3.5
Jury verdict guilty.....	285	6.8	308	6.7	568	12.0	287	10.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other ¹	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	6,121	1,467	681	133	131	522	4,654	3,821	484	349
Major offenses, total.....	4,173	863	370	81	105	307	3,310	2,652	373	285
Murder.....	45	15	3	1	4	7	30	13	3	14
Involuntary manslaughter.....	103	44	17	2	11	14	59	43	6	10
Robbery.....	270	41	17	7	4	13	229	163	33	33
Aggravated assault.....	281	105	52	18	7	28	176	102	42	32
Burglary.....	981	103	42	7	15	39	878	785	57	36
Larceny, except auto theft.....	571	78	24	8	13	33	493	424	38	31
Auto theft.....	436	53	32	1	7	13	383	331	39	13
Embezzlement and fraud.....	255	69	37	2	4	26	186	144	27	15
Stolen property, receiving, etc..	76	29	12	3	1	13	47	38	5	4
Forgery and counterfeiting.....	176	26	11	-	-	15	150	130	14	6
Rape.....	303	114	43	13	17	41	189	131	28	30
Commercialized vice.....	48	11	5	1	-	5	37	23	11	3
Other sex offenses.....	370	116	44	8	16	48	254	187	32	35
Violating drug laws.....	41	12	5	5	1	1	29	17	7	5
Carrying, etc., weapons.....	111	18	13	3	1	1	93	64	22	7
Other major offenses.....	106	29	13	2	4	10	77	57	9	11
Abortion.....	7	3	1	-	1	1	4	1	-	3
Arson.....	18	11	5	1	2	3	7	5	-	2
Bigamy.....	14	2	1	-	-	1	12	11	1	-
Blackmail and extortion.....	14	4	3	1	-	-	10	2	3	5
Escape and jail break.....	30	-	-	-	-	-	30	27	3	-
Kidnaping.....	8	6	2	-	-	4	2	1	-	1
Perjury.....	15	3	1	-	1	1	12	10	2	-
Other offenses:										
Minor assault.....	54	12	5	1	3	3	42	24	4	14
Insupport or neglect.....	184	73	19	2	4	48	111	99	9	3
Violating liquor laws.....	163	69	18	7	4	40	94	81	9	4
Dwelling while intoxicated.....	43	4	-	-	2	2	39	28	4	7
Other motor-vehicle laws.....	40	12	6	1	-	5	28	22	1	5
Disorderly conduct and vagrancy..	105	3	-	-	-	3	102	88	11	3
Drunk driving.....	735	182	138	31	1	12	553	517	29	7
All other offenses.....	624	249	125	10	12	102	375	310	44	21

On the basis of the 1930 population, report covers 60.5 percent of the population of the State in 1936, 8.4 percent in 1937, and 100.0 percent in 1938 and 1939.

¹Figures totaling 22, which were reported in "Other" (sentence) have been included in "Other" (no-penalty disposition) since they do not represent convictions. It is known that some cases in which the complaint was withdrawn or nolle prossed were reported under this category.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

Table 4 shows the variety of sentences used

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	3,310	100.0	3,674	100.0	3,901	100.0	2,189	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories..	1,430	43.2	1,786	48.6	1,856	47.6	1,109	50.6
Probation and suspended sentence.	1,511	45.6	1,293	35.2	1,463	37.5	835	38.1
Local jails, workhouses, etc.....	214	6.5	472	12.8	458	11.7	150	7.0
Fine or costs only.....	155	4.7	123	3.3	123	3.2	85	3.9
Institutions for juveniles.....	-	-	-	-	1	-	-	-
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	4,654	-	1,578	2,040	297	739	-	-
Major offenses, total.....	3,310	-	1,430	1,511	214	155	-	-
Murder.....	30	-	30	-	-	-	-	-
Manslaughter.....	59	-	9	38	2	10	-	-
Robbery.....	229	-	186	31	11	1	-	-
Aggravated assault.....	176	-	60	65	25	26	-	-
Burglary.....	878	-	387	454	26	11	-	-
Larceny, except auto theft.....	493	-	175	285	40	13	-	-
Auto theft.....	383	-	149	211	15	8	-	-
Embezzlement and fraud.....	186	-	41	96	13	36	-	-
Stolen property, receiving, etc..	47	-	17	25	1	4	-	-
Forgery and counterfeiting.....	150	-	65	67	9	9	-	-
Rape.....	189	-	119	52	12	6	-	-
Commercialized vice.....	37	-	11	7	7	12	-	-
Other sex offenses.....	254	-	91	112	39	12	-	-
Violating drug laws.....	29	-	18	8	3	-	-	-
Carrying, etc., weapons.....	93	-	24	63	2	4	-	-
Other major offenses.....	77	-	48	17	9	3	-	-
Abortion.....	4	-	3	-	1	-	-	-
Arson.....	7	-	6	-	-	1	-	-
Bigamy.....	12	-	7	5	-	-	-	-
Blackmail and extortion.....	10	-	5	4	1	-	-	-
Escape and jail break.....	30	-	24	1	4	1	-	-
Kidnaping.....	2	-	1	-	1	-	-	-
Perjury.....	12	-	2	7	2	1	-	-
Other offenses:								
Minor assault.....	42	-	10	18	-	14	-	-
Nonsupport or neglect.....	111	-	17	89	2	3	-	-
Violating liquor laws.....	94	-	7	28	21	38	-	-
Driving while intoxicated.....	39	-	13	9	7	10	-	-
Other motor-vehicle laws.....	28	-	5	18	2	3	-	-
Disorderly conduct and vagrancy..	102	-	51	39	9	3	-	-
Gambling.....	553	-	6	74	28	445	-	-
All other offenses.....	375	-	39	254	14	68	-	-

¹Figures totaling 22, which were reported in "Other" (sentence) have been included in "Other" (no penalty disposition) since they do not represent convictions. It is known that some cases in which the complaint was withdrawn or nolle prossed were reported under this category.

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: MINNESOTA, 1939

There were 2,069 defendants charged with major offenses who were disposed of by the district courts of Minnesota during the calendar year 1939, according to data reported by the Minnesota Bureau of Criminal Apprehension to the Bureau of the Census. Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 9 out of every 10 (90.5 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,069	100.0	2,295	100.0	1,908	100.0	1,911	100.0
Eliminated without conviction.....	196	9.5	294	12.8	232	12.2	231	12.1
Dismissed.....	132	6.4	231	10.1	131	6.9	168	8.8
Acquitted by court (jury waived).....	-	-	2	0.1	1	0.1	1	0.1
Acquitted by jury.....	56	2.7	43	1.9	55	2.9	46	2.4
Other no-penalty disposition.....	8	0.4	18	0.8	15	0.8	16	0.8
Convicted.....	1,873	90.5	2,001	87.2	1,676	87.8	1,680	87.9
Plea of guilty.....	1,784	86.2	1,903	82.9	1,578	82.7	1,586	83.0
Court finds guilty.....	6	0.3	6	0.3	8	0.4	6	0.3
Jury verdict guilty.....	83	4.0	92	4.0	90	4.7	88	4.6

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,648	255	181	2	64	8	2,393	2,276	9	108
Major offenses, total.....	2,069	196	132	-	56	8	1,873	1,784	6	83
Murder.....	12	5	2	-	2	1	7	5	-	2
Manslaughter.....	28	11	3	-	8	-	17	14	-	3
Robbery.....	127	16	7	-	8	1	111	104	-	7
Aggravated assault.....	72	10	5	-	3	2	62	52	-	10
Burglary.....	225	5	5	-	-	-	220	216	-	4
Larceny, except auto theft.....	702	63	47	-	16	-	639	625	3	11
Auto theft.....	170	9	7	-	1	1	161	156	-	5
Embezzlement and fraud.....	71	12	9	-	3	-	59	52	-	7
Stolen property, receiving, etc.....	37	9	5	-	4	-	28	27	-	1
Forgery and counterfeiting.....	321	13	12	-	1	-	308	298	-	10
Rape.....	112	11	6	-	5	-	101	90	1	10
Commercialized vice.....	15	1	1	-	-	-	14	12	-	2
Other sex offenses.....	101	17	12	-	2	3	84	75	1	8
Violating drug laws.....	3	-	-	-	-	-	3	3	-	-
Carrying, etc., weapons.....	9	2	2	-	-	-	7	7	-	-
Other major offenses.....	64	12	9	-	3	-	52	48	1	3
Abortion.....	9	4	4	-	-	-	5	5	-	-
Arson.....	35	7	4	-	3	-	28	24	1	3
Bigamy.....	5	1	1	-	-	-	4	4	-	-
Blackmail and extortion.....	5	-	-	-	-	-	5	5	-	-
Escape and jail break.....	9	-	-	-	-	-	9	9	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses:										
Minor assault.....	37	8	4	-	4	-	29	26	-	3
Insupport or neglect.....	127	19	18	1	-	-	108	102	1	5
Violating liquor laws.....	148	7	5	-	-	-	141	137	-	4
Driving while intoxicated.....	1	-	-	-	-	-	1	1	-	-
Other motor-vehicle laws.....	6	1	1	-	-	-	5	4	-	1
Disorderly conduct and vagrancy.....	1	-	-	-	-	-	1	1	-	-
Drunk driving.....	182	9	8	-	1	-	173	164	-	9
All other offenses.....	77	15	13	1	1	-	62	57	2	3

On the basis of the 1930 population, reports cover 100 percent of the population of the State in 1939, 1938, 1937, and 1936.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,873	100.0	2,001	100.0	1,676	100.0	1,664	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories.....	859	45.9	903	45.1	757	45.2	789	47.4
Probation and suspended sentence....	740	39.5	788	39.4	672	40.1	573	34.4
Local jails, workhouses, etc.....	212	11.3	267	13.3	180	10.7	243	14.6
Fine or costs only.....	55	2.9	35	1.7	61	3.6	58	3.5
Institutions for juveniles.....	7	0.4	8	0.4	6	0.4	1	0.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	2,393	-	879	867	272	368	7	-
Major offenses, total.....	1,873	-	859	740	212	55	7	-
Murder.....	7	-	7	-	-	-	-	-
Manslaughter.....	17	-	10	4	1	2	-	-
Robbery.....	111	-	88	19	-	-	4	-
Aggravated assault.....	62	-	35	17	5	5	-	-
Burglary.....	220	-	101	90	27	1	1	-
Larceny, except auto theft.....	639	-	276	269	76	16	2	-
Auto theft.....	161	-	68	75	15	3	-	-
Embezzlement and fraud.....	59	-	10	33	6	10	-	-
Stolen property, receiving, etc..	28	-	5	15	7	1	-	-
Forgery and counterfeiting.....	308	-	123	122	51	12	-	-
Rape.....	101	-	52	45	4	-	-	-
Commercialized vice.....	14	-	7	1	5	1	-	-
Other sex offenses.....	84	-	49	22	10	3	-	-
Violating drug laws.....	3	-	2	-	1	-	-	-
Carrying, etc., weapons.....	7	-	-	4	3	-	-	-
Other major offenses.....	52	-	26	24	1	1	-	-
Abortion.....	5	-	4	1	-	-	-	-
Arson.....	28	-	13	15	-	-	-	-
Bigamy.....	4	-	3	1	-	-	-	-
Blackmail and extortion.....	5	-	1	4	-	-	-	-
Escape and jail break.....	9	-	5	2	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault.....	29	-	-	10	11	8	-	-
Nonsupport or neglect.....	108	-	17	86	5	-	-	-
Violating liquor laws.....	141	-	-	7	22	112	-	-
Driving while intoxicated.....	1	-	-	1	-	-	-	-
Other motor-vehicle laws.....	5	-	-	-	3	2	-	-
Disorderly conduct and vagrancy..	1	-	-	1	-	-	-	-
Gambling.....	173	-	2	5	1	165	-	-
All other offenses.....	62	-	1	17	18	26	-	-

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DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: MONTANA, 1939

There were 375 defendants charged with major offenses who were disposed of by the district courts of Montana during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 6 out of every 7 (85.6 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	375	100.0	345	100.0	586	100.0	563	100.0
Eliminated without conviction.....	54	14.4	49	14.2	134	22.9	166	29.5
Dismissed.....	43	11.5	35	10.1	100	17.1	131	23.3
Acquitted by court (jury waived)...	-	-	-	-	-	-	-	-
Acquitted by jury.....	10	2.7	14	4.1	28	4.8	22	3.9
Other no-penalty disposition.....	1	0.3	-	-	6	1.0	13	2.3
Convicted.....	321	85.6	296	85.8	452	77.1	397	70.5
Plea of guilty.....	294	78.4	275	79.7	379	64.7	347	61.6
Court finds guilty.....	2	0.5	3	0.9	4	0.7	10	1.8
Jury verdict guilty.....	25	6.7	18	5.2	69	11.8	40	7.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	465	77	61	-	14	2	388	354	2	32
Major offenses, total.....	375	54	43	-	10	1	321	294	2	25
Murder.....	8	2	-	-	2	-	6	3	-	3
Manslaughter.....	6	3	-	-	3	-	3	2	-	1
Robbery.....	16	6	5	-	1	-	10	9	-	1
Aggravated assault.....	22	2	2	-	-	-	20	16	1	3
Burglary.....	93	4	4	-	-	-	89	85	-	4
Larceny, except auto theft.....	97	19	17	-	2	-	78	72	-	6
Auto theft.....	14	-	-	-	-	-	14	14	-	-
Embezzlement and fraud.....	12	3	3	-	-	-	9	6	-	3
Stolen property, receiving, etc.	6	2	1	-	1	-	4	2	1	1
Forgery and counterfeiting.....	61	3	3	-	-	-	58	58	-	-
Rape.....	13	4	3	-	-	1	9	9	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	15	2	1	-	1	-	13	10	-	3
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	-	-	-	-	5	5	-	-
Other major offenses.....	7	4	4	-	-	-	3	3	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	3	2	2	-	-	-	1	1	-	-
Eigany.....	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	1	1	-	-	-	-	-	-	-
Other offenses:										
Minor assault.....	16	4	4	-	-	-	12	11	-	1
Nonsupport or neglect.....	1	-	-	-	-	-	1	1	-	-
Violating liquor laws.....	4	1	-	-	1	-	3	3	-	-
Driving while intoxicated.....	9	3	2	-	1	-	6	5	-	1
Other motor-vehicle laws.....	11	4	3	-	1	-	7	5	-	2
Disorderly conduct and vagrancy.	4	-	-	-	-	-	4	2	-	2
Gambling.....	16	1	-	-	1	-	15	14	-	1
All other offenses.....	29	10	9	-	-	1	19	19	-	-

On the basis of the 1930 population, reports cover 98.8 percent of the population of the State in 1936, 95.8 percent in 1937, 62.9 percent in 1938, and 68.9 percent in 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	321	100.0	296	100.0	452	100.0	387	100.0
Death penalty.....	1	0.3	1	0.3	-	-	-	-
State prisons and reformatories.....	248	77.3	210	70.9	338	74.8	296	76.5
Probation and suspended sentence.....	46	14.3	58	19.6	90	19.9	58	15.0
Local jails, workhouses, etc.....	13	4.0	22	7.4	15	3.3	13	3.4
Fine or costs only.....	6	1.9	1	0.3	4	0.9	6	1.6
Institutions for juveniles.....	7	2.2	4	1.4	5	1.1	14	3.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	388	1	252	65	26	30	14	-
Major offenses, total.....	321	1	248	46	13	6	7	-
Murder.....	6	1	5	-	-	-	-	-
Manslaughter.....	3	-	1	2	-	-	-	-
Robbery.....	10	-	8	2	-	-	-	-
Aggravated assault.....	20	-	16	3	-	1	-	-
Burglary.....	89	-	72	17	-	-	-	-
Larceny, except auto theft.....	78	-	52	13	4	3	6	-
Auto theft.....	14	-	10	-	3	1	-	-
Embezzlement and fraud.....	9	-	8	-	1	-	-	-
Stolen property, receiving, etc..	4	-	1	-	3	-	-	-
Forgery and counterfeiting.....	58	-	52	5	-	-	1	-
Rape.....	9	-	9	-	-	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	13	-	10	-	2	1	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	4	1	-	-	-	-
Other major offenses.....	3	-	-	3	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	1	-	-	1	-	-	-	-
Bigamy.....	1	-	-	1	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	1	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault.....	12	-	-	4	6	2	-	-
Nonsupport or neglect.....	1	-	-	1	-	-	-	-
Violating liquor laws.....	3	-	-	1	2	-	-	-
Driving while intoxicated.....	6	-	1	1	1	3	-	-
Other motor-vehicle laws.....	7	-	-	3	-	3	1	-
Disorderly conduct and vagrancy..	4	-	-	1	2	1	-	-
Gambling.....	15	-	-	-	1	14	-	-
All other offenses.....	19	-	3	8	1	1	6	-

JUDICIAL CRIMINAL STATISTICS: NEW HAMPSHIRE, 1939

There were 436 defendants charged with major offenses who were disposed of by the superior courts of New Hampshire during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately three-fourths (77.3 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	436	100.0	496	100.0	422	100.0	414	100.0
Eliminated without conviction....	99	22.7	108	21.8	65	15.4	70	16.9
Dismissed.....	86	19.7	80	16.1	49	11.6	54	13.0
Acquitted by court(jury waived)	-	-	2	0.4	-	-	-	-
Acquitted by jury.....	9	2.1	8	1.6	6	1.4	9	2.2
Other no-penalty disposition...	4	0.9	18	3.6	10	2.4	7	1.7
Convicted.....	337	77.3	388	78.2	357	84.6	344	83.1
Plea of guilty.....	334	76.6	353	71.2	331	78.4	286	69.1
Court finds guilty.....	-	-	3	0.6	3	0.7	45	10.9
Jury verdict guilty.....	3	0.7	32	6.5	23	5.5	13	3.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	513	125	109	-	11	5	388	380	1	7
Major offenses, total.....	436	99	86	-	9	4	337	334	-	3
Murder.....	8	2	1	-	1	-	6	6	-	-
Manslaughter.....	4	1	-	-	1	-	3	3	-	-
Robbery.....	15	2	2	-	-	-	13	13	-	-
Aggravated assault.....	18	4	1	-	2	1	14	14	-	-
Burglary.....	109	14	11	-	2	1	95	95	-	-
Larceny, except auto theft.....	78	9	9	-	-	-	69	69	-	-
Auto theft.....	20	3	3	-	-	-	17	17	-	-
Embezzlement and fraud.....	74	42	42	-	-	-	32	32	-	-
Stolen property, receiving, etc..	5	1	1	-	-	-	4	3	-	1
Forgery and counterfeiting.....	10	1	1	-	-	-	9	9	-	-
Rape.....	29	9	7	-	2	-	20	20	-	-
Commercialized vice.....	1	-	-	-	-	-	1	-	-	1
Other sex offenses.....	49	7	5	-	1	1	42	41	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	16	4	3	-	-	1	12	12	-	-
Abortion.....	2	2	2	-	-	-	-	-	-	-
Arson.....	8	1	-	-	-	1	7	7	-	-
Bigamy.....	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault.....	3	-	-	-	-	-	3	3	-	-
Nonsupport or neglect.....	20	9	9	-	-	-	11	11	-	-
Violating liquor laws.....	2	-	-	-	-	-	2	2	-	-
Driving while intoxicated.....	10	6	4	-	2	-	4	3	-	1
Other motor-vehicle laws.....	27	5	5	-	-	-	22	19	-	3
Disorderly conduct and vagrancy..	1	-	-	-	-	-	1	1	-	-
Gambling.....	-	-	-	-	-	-	-	-	-	-
All other offenses.....	14	6	5	-	-	1	8	7	1	-

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	337	100.0	388	100.0	357	100.0	344	100.0
Death penalty.....	-	-	-	-	1	0.3	-	-
State prisons and reformatories..	91	27.0	113	29.1	113	31.7	106	30.8
Probation and suspended sentence.	176	52.2	195	50.3	140	39.2	147	42.7
Local jails, workhouses, etc.....	55	16.3	70	18.0	83	23.2	81	23.5
Fine or costs only.....	12	3.6	8	2.1	15	4.2	8	2.3
Institutions for juveniles.....	3	0.9	1	0.3	4	1.1	2	0.6
Other sentences.....	-	-	1	0.3	1	0.3	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	388	-	93	200	62	28	5	-
Major offenses, total.....	337	-	91	176	55	12	3	-
Murder.....	6	-	6	-	-	-	-	-
Manslaughter.....	3	-	1	-	-	2	-	-
Robbery.....	13	-	5	4	1	-	3	-
Aggravated assault.....	14	-	6	3	4	1	-	-
Burglary.....	95	-	30	49	16	-	-	-
Larceny, except auto theft.....	69	-	12	41	15	1	-	-
Auto theft.....	17	-	2	12	3	-	-	-
Embezzlement and fraud.....	32	-	3	24	2	3	-	-
Stolen property, receiving, etc..	4	-	-	3	-	1	-	-
Forgery and counterfeiting.....	9	-	2	5	1	1	-	-
Rape.....	20	-	10	7	3	-	-	-
Commercialized vice.....	1	-	-	-	1	-	-	-
Other sex offenses.....	42	-	7	25	7	3	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	12	-	7	3	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	7	-	4	1	2	-	-	-
Bigamy.....	3	-	1	2	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	1	-	-	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault.....	3	-	-	1	1	1	-	-
Nonsupport or neglect.....	11	-	1	8	2	-	-	-
Violating liquor laws.....	2	-	-	-	-	2	-	-
Driving while intoxicated.....	4	-	-	2	1	1	-	-
Other motor-vehicle laws.....	22	-	-	8	3	11	-	-
Disorderly conduct and vagrancy..	1	-	-	-	-	-	1	-
Gambling.....	-	-	-	-	-	-	-	-
All other offenses.....	8	-	1	5	-	1	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NEW JERSEY, 1939

There were 5,870 defendants charged with major offenses who were disposed of by the trial courts of New Jersey during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately four-fifths (80.1 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,870	100.0	6,104	100.0	5,260	100.0	5,836	100.0
Eliminated without conviction...	1,170	19.9	1,208	19.8	1,068	20.3	1,455	24.9
Dismissed.....	702	12.0	681	11.2	584	11.1	844	14.5
Acquitted by court (jury waived)	254	4.3	292	4.8	218	4.1	289	5.0
Acquitted by jury.....	188	3.2	201	3.3	229	4.4	272	4.7
Other no-penalty disposition..	26	0.4	34	0.6	37	0.7	50	0.9
Convicted.....	4,700	80.1	4,896	80.2	4,192	79.7	4,381	75.1
Plea of guilty.....	4,103	69.9	4,207	68.9	3,628	69.0	3,640	62.4
Court finds guilty.....	374	6.4	386	6.3	310	5.9	414	7.1
Jury verdict guilty.....	223	3.8	303	5.0	254	4.8	327	5.6

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	8,800	1,993	1,215	445	286	47	6,807	5,751	775	281
Major offenses, total.....	5,870	1,170	702	254	188	26	4,700	4,103	374	223
Murder.....	34	11	4	-	7	-	23	13	1	9
Manslaughter.....	70	34	16	11	7	-	36	26	2	8
Robbery.....	397	75	41	12	22	-	322	282	14	26
Aggravated assault.....	661	207	102	65	37	3	454	320	98	36
Burglary.....	1,298	106	63	21	18	4	1,192	1,129	39	24
Larceny, except auto theft.....	1,054	146	95	33	12	6	908	833	54	21
Auto theft.....	226	27	16	10	-	1	199	188	8	3
Embezzlement and fraud.....	674	236	199	20	16	1	438	370	52	16
Stolen property, receiving, etc.	168	49	21	15	13	-	119	95	12	12
Forgery and counterfeiting.....	111	16	10	1	4	1	95	92	2	1
Rape.....	201	51	20	13	17	1	150	113	9	28
Commercialized vice.....	157	43	30	10	3	-	114	83	20	11
Other sex offenses.....	574	118	63	28	23	4	456	382	49	25
Violating drug laws.....	12	4	3	1	-	-	8	7	-	1
Carrying, etc., weapons.....	133	27	10	10	3	4	106	98	8	-
Other major offenses.....	100	20	9	4	6	1	80	72	6	2
Abortion.....	16	7	3	-	3	1	9	8	1	-
Arson.....	27	4	1	1	2	-	23	19	3	1
Bigamy.....	7	-	-	-	-	-	7	7	-	-
Blackmail and extortion.....	2	-	-	-	-	-	2	2	-	-
Escape and jail break.....	28	-	-	-	-	-	28	28	-	-
Kidnaping.....	3	3	3	-	-	-	-	-	-	-
Perjury.....	17	6	2	3	1	-	11	8	2	1
Other offenses:										
Minor assault.....	591	206	96	81	21	8	385	279	85	21
Nonsupport or neglect.....	575	136	107	26	2	1	439	349	86	4
Violating liquor laws.....	528	112	68	26	14	4	414	386	18	10
Driving while intoxicated.....	85	33	6	27	-	-	52	7	44	1
Other motor-vehicle laws.....	42	21	5	11	5	-	21	10	9	2
Disorderly conduct and vagrancy.	197	5	5	-	-	-	192	84	108	-
Gambling.....	373	57	50	1	4	2	316	309	6	1
All other offenses.....	541	253	176	19	52	6	288	224	45	19

On the basis of the 1930 population, reports cover 100 percent of the population of the State in 1936, 90.8 percent in 1937, and 100 percent in 1938 and 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	4,700	100.0	4,896	100.0	4,192	100.0	4,352	100.0
Death penalty.....	2	(¹)	-	-	4	0.1	4	0.1
State prisons and reformatories:	1,555	33.1	1,698	34.7	1,425	34.0	1,524	35.0
Probation and suspended sentence	1,704	36.3	1,797	36.7	1,563	37.3	1,874	43.1
Local jails, workhouses, etc....	944	20.1	1,044	21.3	920	21.9	767	17.6
Fine or costs only.....	402	8.6	308	6.3	190	4.5	126	2.9
Institutions for juveniles.....	80	1.7	33	0.7	75	1.8	55	1.3
Other sentences.....	13	0.3	16	0.3	15	0.4	2	(¹)

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	6,807	2	1,684	2,687	1,337	985	98	14
Major offenses, total.....	4,700	2	1,555	1,704	944	402	80	13
Murder.....	23	2	21	-	-	-	-	-
Manslaughter.....	36	-	12	7	11	6	-	-
Robbery.....	322	-	186	82	40	2	7	-
Aggravated assault.....	454	-	110	140	161	35	8	-
Burglary.....	1,192	-	480	443	190	57	21	-
Larceny, except auto theft.....	908	-	256	385	181	69	15	-
Auto theft.....	199	-	74	81	30	14	-	-
Embezzlement and fraud.....	438	-	56	212	108	60	-	-
Stolen property, receiving, etc.	119	-	14	63	30	11	-	-
Forgery and counterfeiting.....	95	-	33	35	21	5	1	-
Rape.....	150	-	54	32	28	17	19	-
Commercialized vice.....	114	-	45	25	16	28	-	-
Other sex offenses.....	456	-	148	150	83	64	9	-
Violating drug laws.....	8	-	5	-	3	-	-	-
Carrying, etc., weapons.....	106	-	25	38	28	15	-	-
Other major offenses.....	80	-	36	11	14	19	-	-
Abortion.....	9	-	3	3	-	3	-	-
Arson.....	23	-	11	2	5	5	-	-
Bigamy.....	7	-	4	2	1	-	-	-
Blackmail and extortion.....	2	-	1	-	-	1	-	-
Escape and jail break.....	28	-	17	1	5	5	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	11	-	-	3	3	5	-	-
Other offenses:								
Minor assault.....	385	-	45	167	107	66	-	-
Nonsupport or neglect.....	439	-	31	303	48	57	-	-
Violating liquor laws.....	414	-	19	86	106	202	-	-
Driving while intoxicated.....	52	-	-	-	23	29	-	-
Other motor-vehicle laws.....	21	-	-	5	2	14	-	-
Disorderly conduct and vagrancy.	192	-	-	94	31	67	-	-
Gambling.....	316	-	1	177	49	89	-	-
All other offenses.....	288	-	33	151	27	59	18	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NEW MEXICO, 1939

There were 1,008 defendants charged with major offenses who were disposed of by the district courts of New Mexico during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 nearly three-fourths (72.2 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,008	100.0	955	100.0	838	100.0	867	100.0
Eliminated without conviction....	280	27.8	238	24.9	205	24.5	319	36.8
Dismissed.....	237	23.5	183	19.2	143	17.1	266	30.7
Acquitted by court(jury waived)	4	0.4	1	0.1	-	-	11	1.3
Acquitted by jury.....	39	3.9	51	5.3	57	6.8	36	4.2
Other no-penalty dispositions..	-	-	3	0.3	5	0.6	6	0.7
Convicted.....	728	72.2	717	75.1	633	75.5	548	63.2
Plea of guilty.....	661	65.6	622	65.1	528	63.0	461	53.2
Court finds guilty.....	5	0.5	33	3.5	19	2.3	8	0.9
Jury verdict guilty.....	62	6.2	62	6.5	86	10.3	79	9.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,495	414	356	9	47	2	1,081	996	15	70
Major offenses, total.....	1,008	280	237	4	39	-	728	661	5	62
Murder.....	18	5	-	-	5	-	13	8	-	5
Manslaughter.....	23	11	7	-	4	-	12	10	-	2
Robbery.....	23	6	4	-	2	-	17	14	-	3
Aggravated assault.....	115	61	51	-	10	-	54	44	-	10
Burglary.....	98	19	17	1	1	-	79	77	-	2
Larceny, except auto theft.....	343	72	62	1	9	-	271	251	1	19
Auto theft.....	43	9	8	-	1	-	34	30	-	4
Embezzlement and fraud.....	83	27	24	1	2	-	56	55	-	1
Stolen property, receiving, etc..	25	8	6	-	2	-	17	15	-	2
Forgery and counterfeiting.....	107	16	16	-	-	-	91	85	4	2
Rape.....	52	18	18	-	-	-	34	24	-	10
Commercialized vice.....	13	5	5	-	-	-	8	8	-	-
Other sex offenses.....	15	9	8	-	1	-	6	6	-	-
Violating drug laws.....	8	-	-	-	-	-	8	8	-	-
Carrying, etc., weapons.....	19	7	7	-	-	-	12	11	-	1
Other major offenses.....	23	7	4	1	2	-	16	15	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	7	5	2	1	2	-	2	2	-	-
Bigamy.....	7	-	-	-	-	-	7	7	-	-
Blackmail and extortion.....	5	1	1	-	-	-	4	4	-	-
Escape and jail break.....	2	-	-	-	-	-	2	2	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	1	1	-	-	-	1	-	-	1
Other offenses:										
Minor assault.....	36	13	12	-	1	-	23	21	2	-
Nonsupport or neglect.....	9	5	5	-	-	-	4	4	-	-
Violating liquor laws.....	31	8	7	-	1	-	23	20	2	1
Driving while intoxicated.....	190	33	26	2	3	2	157	150	2	5
Other motor-vehicle laws.....	54	9	8	1	-	-	45	44	-	1
Disorderly conduct and vagrancy..	9	1	1	-	-	-	8	8	-	-
Gambling.....	26	8	8	-	-	-	18	17	1	-
All other offenses.....	132	57	52	2	3	-	75	71	3	1

On the basis of the 1930 population, reports cover 92.1 percent of the population of the State in 1936, 97.7 percent (all except Otero County) in 1937, 1938, and 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	728	100.0	717	100.0	633	100.0	547	100.0
Death penalty.....	1	0.1	4	0.6	3	0.5	1	0.2
State prisons and reformatories..	377	51.8	389	54.3	404	63.8	324	59.2
Probation and suspended sentence..	276	37.9	248	34.6	154	24.3	150	27.4
Local jails, workhouses, etc.....	40	5.5	39	5.4	38	6.0	48	8.8
Fine or costs only.....	24	3.3	14	2.0	29	4.6	16	2.9
Institutions for juveniles.....	10	1.4	23	3.2	5	0.8	4	0.7
Other sentences.....	-	-	-	-	-	-	4	0.7

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,081	1	396	418	132	121	13	-
Major offenses, total.....	728	1	377	276	40	24	10	-
Murder.....	13	1	12	-	-	-	-	-
Manslaughter.....	12	-	5	7	-	-	-	-
Robbery.....	17	-	17	-	-	-	-	-
Aggravated assault.....	54	-	27	18	5	4	-	-
Burglary.....	79	-	46	29	2	-	2	-
Larceny, except auto theft.....	271	-	124	114	17	9	7	-
Auto theft.....	34	-	10	13	10	1	-	-
Embezzlement and fraud.....	56	-	26	21	1	7	1	-
Stolen property, receiving, etc..	17	-	4	12	1	-	-	-
Forgery and counterfeiting.....	91	-	58	32	1	-	-	-
Rape.....	34	-	27	6	-	1	-	-
Commercialized vice.....	8	-	1	4	3	-	-	-
Other sex offenses.....	6	-	6	-	-	-	-	-
Violating drug laws.....	8	-	4	4	-	-	-	-
Carrying, etc., weapons.....	12	-	4	6	-	2	-	-
Other major offenses.....	16	-	6	10	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	-	2	-	-	-	-
Bigamy.....	7	-	3	4	-	-	-	-
Blackmail and extortion.....	4	-	-	4	-	-	-	-
Escape and jail break.....	2	-	2	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses:								
Minor assault.....	23	-	-	11	6	6	-	-
Nonsupport or neglect.....	4	-	1	3	-	-	-	-
Violating liquor laws.....	23	-	-	11	8	4	-	-
Driving while intoxicated.....	157	-	6	38	63	50	-	-
Other motor-vehicle laws.....	45	-	-	30	6	9	-	-
Disorderly conduct and vagrancy..	8	-	-	3	1	2	2	-
Gambling.....	16	-	-	5	1	12	-	-
All other offenses.....	75	-	12	41	7	14	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NEW YORK, 1939

The New York State Department of Correction reported to the Bureau of the Census on the disposition by the trial courts of New York on 11,824 defendants charged with major offenses during the calendar year 1939.

Table 1 shows the disposition of these defend-

ants for each of the last 3 years. In 1939 over three-fourths (78.0 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	10,153	100.0	10,687	100.0	10,316	100.0
Eliminated without conviction.....	2,229	22.0	2,884	27.0	2,556	24.8
Dismissed.....	1,332	13.1	1,986	18.6	1,659	16.1
Acquitted by court (jury waived)....	-	-	-	-	-	-
Acquitted by jury.....	573	5.6	765	7.2	897	8.7
Other no-penalty disposition.....	324	3.2	133	1.2	-	-
Convicted.....	7,924	78.0	7,803	73.0	7,760	75.2
Plea of guilty.....	7,121	70.1	6,955	65.1	6,904	66.9
Court finds guilty.....	-	-	-	-	-	-
Jury verdict guilty.....	803	7.9	848	7.9	856	8.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN ORIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1939

Offense	Total de- fend- ants dis- posed of	Disposed of without conviction					Convicted			
		Total	Dis- missed	Ac- quit- ted by court (jury waived)	Ac- quit- ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver- dict guilty
All offenses.....	11,824	2,454	1,509	-	607	338	9,370	8,515	-	855
Major offenses, total.....	10,153	2,229	1,332	-	573	324	7,924	7,121	-	803
Murder.....	106	45	18	-	12	15	61	18	-	43
Manslaughter.....	222	83	34	-	42	7	139	91	-	48
Robbery.....	947	256	124	-	87	45	691	562	-	129
Aggravated assault.....	816	248	114	-	89	45	568	442	-	126
Burglary.....	2,413	355	226	-	72	57	2,058	1,934	-	124
Larceny, except auto theft.....	2,375	349	237	-	70	42	2,026	1,920	-	106
Auto theft.....	732	109	74	-	17	18	623	584	-	39
Embezzlement and fraud.....	17	12	8	-	2	2	5	4	-	1
Stolen property, receiving, etc.	177	92	53	-	23	16	85	72	-	13
Forgery and counterfeiting.....	408	81	60	-	14	7	327	309	-	18
Rape.....	437	143	94	-	34	15	294	249	-	45
Commercialized vice.....	28	10	9	-	1	-	18	18	-	-
Other sex offenses.....	334	86	44	-	31	11	248	226	-	22
Violating drug laws.....	39	9	-	-	8	1	30	26	-	4
Carrying, etc., weapons.....	389	75	52	-	15	8	314	290	-	24
Other major offenses.....	713	276	185	-	56	35	437	376	-	61
Abortion.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Arson.....	83	33	19	-	9	5	50	42	-	8
Bigamy.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Blackmail and extortion.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Escape and jail break.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Kidnaping.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Perjury.....	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Other offenses:										
Minor assault.....	623	-	-	-	-	-	623	603	-	20
Nonsupport or neglect.....	330	91	82	-	5	4	239	237	-	2
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	94	7	3	-	4	-	87	77	-	10
Other motor-vehicle laws.....	7	-	-	-	-	-	7	7	-	-
Disorderly conduct and vagrancy.	10	-	-	-	-	-	10	10	-	-
Gambling.....	36	-	-	-	-	-	36	36	-	-
All other offenses.....	571	127	92	-	25	10	444	424	-	20

¹Not returned separately. Offenses reported as "other felonies" and malicious mischief (felony) are included in other major offenses.

Note.- The following five counties reported in part: Erie, Essex, Lewis, Niagara, and Suffolk.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	7,924	100.0	7,803	100.0	7,760	100.0
Death penalty.....	23	0.3	20	0.3	18	0.2
State prisons and reformatories.....	3,338	42.1	3,400	43.6	3,317	42.7
Probation and suspended sentence.....	2,772	35.0	2,633	33.7	2,465	31.8
Local jails, workhouses, etc.....	1,729	21.8	1,699	21.8	1,877	24.2
Fine or costs only.....	55	0.7	20	0.3	40	0.5
Institutions for juveniles.....	-	-	-	-	-	-
Other sentences.....	7	0.8	31	0.4	43	0.6

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, penitentiaries, and workhouses	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	9,370	23	3,416	3,522	2,292	108	-	9
Major offenses, total.....	7,924	23	3,338	2,772	1,729	55	-	7
Murder.....	61	20	39	-	1	-	-	1
Manslaughter.....	139	-	113	16	7	3	-	-
Robbery.....	691	-	617	66	8	-	-	-
Aggravated assault.....	568	-	351	117	97	3	-	-
Burglary.....	2,058	-	733	833	490	-	-	2
Larceny, except auto theft.....	2,026	-	541	894	585	5	-	1
Auto theft.....	623	-	190	277	155	-	-	1
Embezzlement and fraud.....	5	-	1	3	1	-	-	-
Stolen property, receiving, etc....	85	-	27	40	17	1	-	-
Forgery and counterfeiting.....	327	-	152	128	47	-	-	-
Rape.....	294	-	125	104	56	8	-	1
Commercialized vice.....	18	-	5	6	2	5	-	-
Other sex offenses.....	248	-	147	54	46	1	-	-
Violating drug laws.....	30	-	13	3	14	-	-	-
Carrying, etc., weapons.....	314	-	120	91	99	4	-	-
Other major offenses.....	437	² 3	164	140	104	25	-	1
Abortion.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Arson.....	50	-	32	15	3	-	-	-
Bigamy.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Blackmail and extortion.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Escape and jail break.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Kidnaping.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Perjury.....	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)
Other offenses:								
Minor assault.....	623	-	17	282	323	1	-	-
Nonsupport or neglect.....	239	-	30	158	50	1	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	87	-	14	22	47	4	-	-
Other motor-vehicle laws.....	7	-	1	5	1	-	-	-
Disorderly conduct and vagrancy...	10	-	1	8	1	-	-	-
Gambling.....	36	-	-	14	19	3	-	-
All other offenses.....	444	-	15	261	122	44	-	2

¹Not returned separately. Offenses reported as "other felonies" and malicious mischief (felony) are included in other major offenses.

²3 death sentences for kidnaping reported as "other felonies".

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NORTH DAKOTA, 1939

There were 584 defendants charged with major offenses who were disposed of by the district courts of North Dakota during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census. Table 1 shows the disposition of these defendants for each of the last 4

years. In 1939 approximately 6 out of every 7 (86.5 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	584	100.0	533	100.0	536	100.0	330	100.0
Eliminated without conviction.....	79	13.5	93	17.4	109	20.3	59	17.9
Dismissed.....	60	10.3	78	14.6	92	17.2	47	14.2
Acquitted by court (jury waived)...	1	0.2	-	-	-	-	-	-
Acquitted by jury.....	9	1.5	12	2.3	15	2.8	5	1.5
Other no-penalty disposition.....	9	1.5	3	0.6	2	0.4	7	2.1
Convicted.....	505	86.5	440	82.6	427	79.7	271	82.1
Plea of guilty.....	480	82.2	414	77.7	396	73.9	238	72.1
Court finds guilty.....	3	0.5	10	1.9	3	0.6	6	1.8
Jury verdict guilty.....	22	3.8	16	3.0	28	5.2	27	8.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NORTH DAKOTA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	914	136	113	2	10	11	778	746	7	25
Major offenses, total.....	584	79	60	1	9	9	505	480	3	22
Murder.....	4	1	1	-	-	-	3	3	-	-
Manslaughter.....	5	-	-	-	-	-	5	3	-	2
Robbery.....	17	1	1	-	-	-	16	11	-	5
Aggravated assault.....	23	12	9	-	-	3	11	10	-	1
Burglary.....	98	5	3	1	-	1	93	92	-	1
Larceny, except auto theft.....	189	20	16	-	3	1	169	167	1	1
Auto theft.....	27	-	-	-	-	-	27	27	-	-
Embezzlement and fraud.....	46	6	4	-	2	-	40	37	-	3
Stolen property, receiving, etc.	13	1	1	-	-	-	12	10	-	2
Forgery and counterfeiting.....	35	3	2	-	-	1	32	32	-	-
Rape.....	47	21	17	-	3	1	26	25	-	1
Commercialized vice.....	3	1	1	-	-	-	2	1	-	1
Other sex offenses.....	50	5	2	-	1	2	45	42	2	1
Violating drug laws.....	2	-	-	-	-	-	2	2	-	-
Carrying, etc., weapons.....	4	-	-	-	-	-	4	4	-	-
Other major offenses.....	21	3	3	-	-	-	18	14	-	4
Abortion.....	3	1	1	-	-	-	2	1	-	1
Arson.....	7	1	1	-	-	-	6	4	-	2
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	9	1	1	-	-	-	8	8	-	-
Kidnaping.....	1	-	-	-	-	-	1	-	-	1
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses:										
Minor assault.....	39	20	19	-	-	1	19	18	1	-
Nonsupport or neglect.....	30	5	5	-	-	-	25	23	1	1
Violating liquor laws.....	32	2	2	-	-	-	30	29	-	1
Driving while intoxicated.....	127	4	3	-	1	-	123	121	1	1
Other motor-vehicle laws.....	24	4	3	1	-	-	20	20	-	-
Disorderly conduct and vagrancy.	16	3	3	-	-	-	13	13	-	-
Gambling.....	2	-	-	-	-	-	2	2	-	-
All other offenses.....	60	19	18	-	-	1	41	40	1	-

On the basis of the 1930 population, the reports cover 77.4 percent in 1936, 98.6 percent in 1937, 93.5 percent in 1938, and 99.6 percent in 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	505	100.0	440	100.0	427	100.0	275	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories.....	270	53.5	228	51.8	219	51.3	158	57.5
Probation and suspended sentence.....	71	14.1	55	12.5	53	12.4	32	11.6
Local jails, workhouses, etc.....	108	21.4	108	24.5	118	27.6	55	20.0
Fine or costs only.....	22	4.4	10	2.3	13	3.0	6	2.2
Institutions for juveniles.....	34	6.7	39	8.9	24	5.6	24	8.7
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE:
NORTH DAKOTA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	778	-	286	117	266	71	38	-
Major offensee, total.....	505	-	270	71	108	22	34	-
Murder....	3	-	3	-	-	-	-	-
Manlaughter.....	5	-	3	1	1	-	-	-
Robbery.....	16	-	15	-	-	-	1	-
Aggravated assault.....	11	-	5	2	3	-	1	-
Burglary.....	93	-	48	17	18	6	6	-
Larceny, except auto theft.....	169	-	84	29	47	1	8	-
Auto theft.....	27	-	14	1	5	-	7	-
Embezzlement and fraud.....	40	-	22	5	9	1	3	-
Stolen property, receiving, etc..	12	-	4	5	3	-	-	-
Forgery and counterfeiting.....	32	-	20	-	7	1	4	-
Rape.....	28	-	19	4	-	-	3	-
Commercialized vice.....	2	-	-	2	-	-	-	-
Other sex offenses.....	45	-	16	4	12	12	1	-
Violating drug laws.....	2	-	2	-	-	-	-	-
Carrying, etc., weapons.....	4	-	4	-	-	-	-	-
Other major offenses.....	18	-	13	1	3	1	-	-
Abortion.....	2	-	1	-	1	-	-	-
Arson.....	6	-	5	-	-	1	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	8	-	6	-	2	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	1	-	-	1	-	-	-	-
Other offensee:								
Minor assault.....	19	-	-	5	9	5	-	-
Noneupport or neglect.....	25	-	11	12	1	1	-	-
Violating liquor laws.....	30	-	-	2	19	9	-	-
Driving while intoxicated.....	123	-	-	19	87	17	-	-
Other motor-vehicle laws.....	20	-	-	3	14	3	-	-
Disorderly conduct and vagrancy..	13	-	-	-	11	2	-	-
Gambling.....	2	-	-	1	1	-	-	-
All othe offenses.....	41	-	5	4	16	12	4	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: OHIO, 1939

There were 5,536 defendants charged with major offenses who were disposed of by the common pleas courts of Ohio during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 5 out of every 6 (83.3 percent) defendants disposed of were convicted.

Table 2 presents detailed figures for all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,536	100.0	6,459	100.0	6,010	100.0	5,732	100.0
Eliminated without conviction.....	925	16.7	997	15.4	1,153	19.2	1,515	26.4
Dismissed.....	668	12.1	682	10.6	796	13.2	1,171	20.4
Acquitted by court (jury waived)...	93	1.7	83	1.3	129	2.1	110	1.9
Acquitted by jury.....	123	2.2	179	2.8	158	2.6	139	2.4
Other no-penalty disposition.....	41	0.7	53	0.8	70	1.2	95	1.7
Convicted.....	4,611	83.3	5,462	84.6	4,857	80.8	4,217	73.6
Plea of guilty.....	4,070	73.5	4,737	73.3	4,152	69.1	3,550	61.9
Court finds guilty.....	236	4.3	253	3.9	300	5.0	278	4.8
Jury verdict guilty.....	305	5.5	472	7.3	405	6.7	389	6.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1939

Offense	Total defendant-disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	8,115	1,532	1,186	117	179	50	6,583	5,871	330	382
Major offenses, total.....	5,536	925	668	93	123	41	4,611	4,070	236	305
Murder.....	72	22	7	5	7	3	50	21	7	22
Manslaughter.....	175	43	12	7	22	2	132	98	10	24
Robbery.....	602	108	71	12	21	4	494	394	42	58
Aggravated assault.....	262	63	45	9	4	5	199	144	15	40
Burglary.....	1,497	156	111	17	22	6	1,341	1,250	52	39
Larceny, except auto theft.....	775	98	80	3	13	2	677	632	24	21
Auto theft.....	524	70	56	5	4	5	454	424	10	20
Embezzlement and fraud.....	313	98	89	4	5	-	215	195	10	10
Stolen property, receiving, etc.	163	28	22	3	3	-	135	118	11	6
Forgery and counterfeiting.....	479	97	81	6	7	3	382	370	3	9
Rape.....	183	48	30	9	6	3	135	90	17	28
Commercialized vice.....	37	5	5	-	-	-	32	28	1	3
Other sex offense.....	125	26	13	7	4	2	99	79	10	10
Violating drug laws.....	72	4	1	2	1	-	68	48	14	6
Carrying, etc., weapons.....	152	20	14	-	2	4	132	124	8	-
Other major offenses.....	105	39	31	4	2	2	66	55	2	9
Abortion.....	12	6	4	1	1	-	6	5	1	-
Arson.....	30	9	5	1	1	2	21	17	-	4
Bigamy.....	12	3	3	-	-	-	9	8	-	1
Blackmail and extortion.....	7	2	2	-	-	-	5	3	1	1
Escape and jail break.....	9	1	1	-	-	-	8	8	-	-
Kidnaping.....	11	5	5	-	-	-	6	6	-	-
Perjury.....	24	13	11	2	-	-	11	8	-	3
Other offenses:										
Minor assault.....	413	79	68	3	8	-	334	278	33	23
Nonsupport or neglect.....	663	251	226	9	9	7	412	377	22	13
Violating liquor laws.....	275	41	33	-	7	1	234	205	8	21
Driving while intoxicated.....	554	43	34	2	7	-	511	491	10	10
Other motor-vehicle laws.....	231	65	54	4	7	-	166	158	3	5
Disorderly conduct and vagrancy.	92	23	22	1	-	-	69	64	5	-
Gambling.....	157	30	20	1	9	-	127	124	1	2
All other offenses.....	194	75	61	4	9	1	119	104	12	3

On the basis of the 1930 population, the reports cover 100 percent of the population of the State in 1939, 99.8 percent in 1938, 97.5 percent in 1937, and 99.8 percent in 1936.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	4,611	100.0	5,462	100.0	4,857	100.0	4,040	100.0
Death penalty.....	1	(a)	18	0.3	3	0.1	4	0.1
State prisons and reformatories.....	2,093	45.4	2,506	45.9	2,279	46.9	1,893	46.9
Probation and suspended sentence....	2,001	43.4	2,297	42.1	1,932	39.8	1,433	35.5
Local jails, workhouses, etc.....	379	8.2	468	8.6	427	8.8	512	12.7
Fine or costs only.....	137	3.0	173	3.2	212	4.4	182	4.5
Institutions for juveniles.....	-	-	-	-	4	0.1	11	0.3
Other sentences.....	-	-	-	-	-	-	5	0.1

(a) Less than 0.1.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	6,583	1	2,174	2,614	811	983	-	-
Major offenses, total.....	4,611	1	2,093	2,001	379	137	-	-
Murder.....	50	1	49	-	-	-	-	-
Manslaughter.....	132	-	69	39	18	6	-	-
Robbery.....	494	-	357	136	1	-	-	-
Aggravated assault.....	199	-	98	93	7	1	-	-
Burglary.....	1,341	-	672	657	7	5	-	-
Larceny, except auto theft.....	677	-	182	299	162	34	-	-
Auto theft.....	454	-	190	259	4	1	-	-
Embezzlement and fraud.....	215	-	55	121	28	11	-	-
Stolen property, receiving, etc..	135	-	22	74	31	8	-	-
Forgery and counterfeiting.....	382	-	168	190	5	19	-	-
Rape.....	135	-	93	15	27	-	-	-
Commercialized vice.....	32	-	2	2	10	18	-	-
Other sex offenses.....	99	-	65	21	7	6	-	-
Violating drug laws.....	68	-	15	14	29	10	-	-
Carrying, etc., weapons.....	132	-	23	54	39	16	-	-
Other major offenses.....	66	-	33	27	4	2	-	-
Abortion.....	6	-	1	5	-	-	-	-
Arson.....	21	-	14	5	-	2	-	-
Bigamy.....	9	-	5	4	-	-	-	-
Blackmail and extortion.....	5	-	3	1	1	-	-	-
Escape and jail break.....	8	-	2	4	2	-	-	-
Kidnaping.....	6	-	6	-	-	-	-	-
Perjury.....	11	-	2	8	1	-	-	-
Other offenses:								
Minor assault.....	334	-	-	86	160	88	-	-
Nonsupport or neglect.....	412	-	59	329	12	12	-	-
Violating liquor laws.....	234	-	-	28	56	150	-	-
Driving while intoxicated.....	511	-	-	81	160	270	-	-
Other motor-vehicle laws.....	166	-	7	27	14	118	-	-
Disorderly conduct and vagrancy..	69	-	-	11	5	53	-	-
Gambling.....	127	-	-	6	8	113	-	-
All other offenses.....	119	-	15	45	17	42	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: OREGON, 1939

There were 1,136 defendants charged with major offenses who were disposed of by the circuit courts of Oregon during the calendar year 1939; according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 5 out of every 6 (83.0 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,136	100.0	1,089	100.0	832	100.0	1,045	100.0
Eliminated without conviction...	193	17.0	127	11.7	101	12.1	162	15.5
Dismissed.....	150	13.2	94	8.6	60	7.2	123	11.8
Acquitted by court(jury waived)	3	0.3	3	0.3	-	-	1	0.1
Acquitted by jury.....	32	2.8	27	2.5	35	4.2	34	3.3
Other no-penalty disposition..	8	0.7	3	0.3	6	0.7	4	0.4
Convicted.....	943	83.0	962	88.3	731	87.9	883	84.5
Plea of guilty.....	891	78.4	891	81.8	683	82.1	809	77.4
Court finds guilty.....	7	0.6	4	0.4	5	0.6	3	0.3
Jury verdict guilty.....	45	4.0	67	6.2	43	5.2	71	6.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,417	286	222	4	49	11	1,131	1,042	21	68
Major offenses, total.....	1,136	193	150	3	32	8	943	891	7	45
Murder.....	4	2	-	-	1	1	2	-	-	2
Manslaughter.....	21	9	3	-	6	-	12	9	-	3
Robbery.....	40	4	2	-	2	-	36	34	-	2
Aggravated assault.....	52	14	9	-	3	2	38	36	1	1
Burglary.....	187	21	19	-	1	1	166	158	2	6
Larceny, except auto theft.....	351	62	53	2	6	1	289	278	1	10
Auto theft.....	76	3	2	-	1	-	73	73	-	-
Embezzlement and fraud.....	127	21	18	-	2	1	106	99	-	7
Stolen property, receiving, etc.	25	6	4	-	2	-	19	18	-	1
Forgery and counterfeiting.....	120	27	26	-	1	-	93	87	1	5
Rape.....	35	6	5	-	1	-	29	25	1	3
Commercialized vice.....	2	-	-	-	-	-	2	2	-	-
Other sex offenses.....	68	12	5	-	6	1	56	51	1	4
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	7	2	1	1	-	-	5	5	-	-
Other major offenses.....	21	4	3	-	-	1	17	16	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	6	1	-	-	-	1	5	5	-	-
Bigamy.....	5	2	2	-	-	-	3	3	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	6	1	1	-	-	-	5	5	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	3	-	-	-	-	-	3	2	-	1
Other offenses:										
Minor assault.....	30	11	7	1	3	-	19	16	1	2
Nonsupport or neglect.....	49	17	15	-	2	-	32	27	5	-
Violating liquor laws.....	10	8	8	-	-	-	2	1	-	1
Driving while intoxicated.....	32	7	4	-	3	-	25	18	1	6
Other motor-vehicle laws.....	31	5	4	-	1	-	26	21	-	5
Disorderly conduct and vagrancy.	15	3	3	-	-	-	12	8	3	1
Gambling.....	12	5	3	-	-	2	7	7	-	-
All other offenses.....	102	37	28	-	8	1	65	53	4	8

On the basis of the 1930 population, reports cover 100.0 percent of the population of the State in 1936, 54.9 percent in 1937, 91.5 percent in 1938, and (on the basis of the 1940 preliminary population) 88.0 percent in 1939.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	943	100.0	962	100.0	731	100.0	882	100.0
Death penalty.....	-	-	1	0.1	-	-	-	-
State prisons and reformatories..	437	46.3	430	44.7	348	47.6	492	55.8
Probation and suspended sentence.	342	36.3	355	36.9	283	38.7	266	30.2
Local jails, workhouses, etc.....	145	15.4	157	16.3	85	11.6	110	12.5
Fine or costs only.....	8	0.8	14	1.5	13	1.8	8	0.9
Institutions for juveniles.....	9	1.0	5	0.5	2	0.3	5	0.6
Other sentences.....	2	0.2	-	-	-	-	1	0.1

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,131	-	458	417	197	46	10	3
Major offenses, total.....	943	-	437	342	145	8	9	2
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	12	-	6	3	3	-	-	-
Robbery.....	36	-	25	5	-	-	6	-
Aggravated assault.....	38	-	19	10	7	1	1	-
Burglary.....	166	-	98	59	9	-	-	-
Larceny, except auto theft.....	289	-	97	118	70	3	1	-
Auto theft.....	73	-	24	26	21	-	1	1
Embezzlement and fraud.....	106	-	47	47	12	-	-	-
Stolen property, receiving, etc..	19	-	7	9	3	-	-	-
Forgery and counterfeiting.....	93	-	54	32	4	3	-	-
Rape.....	29	-	21	8	-	-	-	-
Commercialized vice.....	2	-	-	1	-	1	-	-
Other sex offenses.....	56	-	24	21	11	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	5	-	-	-	-	-
Other major offenses.....	17	-	8	3	5	-	-	1
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	5	-	4	1	-	-	-	-
Bigamy.....	3	-	1	1	1	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	1	-	3	-	-	1
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	3	-	1	1	1	-	-	-
Other offenses:	-	-	-	-	-	-	-	-
Minor assault.....	19	-	-	10	5	4	-	-
Nonsupport or neglect.....	32	-	2	29	1	-	-	-
Violating liquor laws.....	2	-	-	1	1	-	-	-
Driving while intoxicated.....	25	-	-	7	11	7	-	-
Other motor-vehicle laws.....	26	-	3	6	5	11	-	1
Disorderly conduct and vagrancy..	12	-	-	4	3	5	-	-
Gambling.....	7	-	-	-	3	4	-	-
All other offenses.....	65	-	16	18	23	7	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: PENNSYLVANIA, 1939

There were 19,937 defendants charged with major offenses who were disposed of by the trial courts of Pennsylvania during the calendar year 1939, according to data reported by the Department of Welfare at Harrisburg to the Bureau of the Census. Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 7 out of each 10 (71.0 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	19,937	100.0	24,548	100.0	22,603	100.0	22,067	100.0
Eliminated without conviction....	5,779	29.0	6,255	25.5	6,699	29.6	6,727	30.5
Dismissed.....	2,299	11.5	2,259	9.2	2,684	11.9	2,674	12.1
Acquitted by court (jury waived)	770	3.9	409	1.7	145	0.6	122	0.6
Acquitted by jury.....	2,151	10.8	3,348	13.6	3,602	15.9	3,769	17.1
Other no-penalty disposition...	559	2.8	239	1.0	268	1.2	162	0.7
Convicted.....	14,158	71.0	18,293	74.5	15,904	70.4	15,340	69.5
Plea of guilty.....	10,946	54.9	11,252	45.8	9,799	43.4	9,048	41.0
Court finds guilty.....	1,084	5.4	514	2.1	457	2.0	498	2.3
Jury verdict guilty.....	2,128	10.7	6,527	26.6	5,648	25.0	5,794	26.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	39,904	12,600	5,688	1,913	3,698	1,301	27,304	19,155	4,880	3,269
Major offenses, total.....	19,937	5,779	2,299	770	2,151	559	14,158	10,946	1,084	2,128
Murder.....	180	69	15	2	42	10	111	73	2	36
Involuntary manslaughter.....	375	239	103	14	115	7	136	72	7	57
Larceny.....	958	187	38	7	122	20	771	506	37	228
Aggravated assault.....	2,635	1,349	449	225	495	180	1,286	658	257	371
Burglary.....	3,058	422	144	31	221	26	2,636	2,309	79	248
Larceny, except auto theft.....	4,747	1,064	399	194	379	92	3,683	3,049	294	340
Auto theft.....	874	141	56	23	51	11	733	635	28	70
Embezzlement and fraud.....	1,878	679	375	73	163	68	1,199	1,035	63	101
Stolen property, receiving, etc.....	520	224	73	46	69	36	296	190	27	79
Forgery and counterfeiting.....	615	156	96	11	30	19	459	426	16	17
Perjury.....	578	209	75	7	116	11	369	212	21	136
Commercialized vice.....	393	82	20	24	35	3	311	238	43	30
Other sex offenses.....	1,958	637	315	58	203	61	1,321	927	130	264
Violating drug laws.....	259	15	6	6	2	1	244	159	16	69
Carrying, etc., weapons.....	634	195	90	40	58	7	439	331	56	52
Other major offenses.....	275	111	45	9	50	7	164	126	8	30
Abortion.....	46	24	7	-	16	1	22	9	-	13
Arson.....	83	33	10	-	20	3	50	41	-	9
Bigamy.....	19	8	6	2	-	-	11	9	1	1
Blackmail and extortion.....	35	20	11	2	7	-	15	6	4	5
Escape and jail break.....	51	2	-	2	-	-	49	48	1	-
Kidnaping.....	1	-	-	-	-	-	1	-	-	1
Perjury.....	40	24	11	3	7	3	16	13	2	1
Other offenses:										
Minor assault.....	2,240	1,219	561	161	379	118	1,021	587	194	240
Disupport or neglect.....	4,919	1,367	968	40	19	340	3,552	1,326	2,204	22
Violating liquor laws.....	2,231	513	191	107	182	33	1,718	1,289	223	206
Driving while intoxicated.....	3,374	735	103	133	459	40	2,639	2,214	161	264
Other motor-vehicle laws.....	2,371	963	457	339	124	43	1,408	984	324	100
Disorderly conduct and vagrancy..	216	96	53	16	7	20	120	85	24	11
Drubbing.....	1,502	507	116	194	178	19	995	680	219	96
All other offenses.....	3,114	1,421	940	153	199	129	1,693	1,044	447	202

On the basis of the 1930 population, reports cover 100 percent of the population of the State in 1936 and 1937, 99.6 percent in 1938, and 100 percent in 1939.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	14,158	100.0	18,293	100.0	15,904	100.0	15,340	100.0
Death penalty.....	9	0.1	8	(¹)	7	(¹)	16	0.1
State prisons and reformatories.	1,904	13.4	2,474	13.5	2,292	14.4	1,897	12.4
Probation and suspended sentence	3,764	26.6	5,631	30.8	4,701	29.6	4,362	28.4
Local jails, workhouses, etc....	6,474	45.7	8,170	44.7	7,131	44.8	6,926	45.1
Fine or costs only.....	1,573	11.1	1,664	9.1	1,637	10.3	1,918	12.5
Institutions for juveniles.....	276	1.9	226	1.2	94	0.6	201	1.3
Other sentences.....	158	1.1	120	0.7	42	0.3	20	0.1

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	27,304	9	2,033	6,786	9,929	6,117	394	2,036
Major offenses, total.....	14,158	9	1,904	3,764	6,474	1,573	276	158
Murder.....	111	9	74	-	29	-	-	-
Manslaughter.....	136	-	23	14	97	2	-	-
Robbery.....	771	-	227	101	416	10	15	2
Aggravated assault.....	1,286	-	81	392	678	131	3	1
Burglary.....	2,636	-	517	736	1,153	133	92	5
Larceny, except auto theft.....	3,683	-	423	1,221	1,640	287	107	5
Auto theft.....	733	-	125	201	327	59	19	2
Embezzlement and fraud.....	1,199	-	29	357	599	205	3	6
Stolen property, receiving, etc.	296	-	26	110	131	28	1	-
Forgery and counterfeiting.....	459	-	68	98	225	52	16	-
Rape.....	369	-	100	28	184	48	4	5
Commercialized vice.....	311	-	32	30	120	129	-	-
Other sex offenses.....	1,321	-	97	263	410	413	7	¹ 131
Violating drug laws.....	244	-	2	54	173	15	-	-
Carrying, etc., weapons.....	439	-	14	129	234	57	4	1
Other major offenses.....	164	-	66	30	59	4	5	-
Abortion.....	22	-	8	3	10	1	-	-
Arson.....	50	-	21	11	18	-	-	-
Bigamy.....	11	-	4	2	3	2	-	-
Blackmail and extortion.....	15	-	3	4	8	-	-	-
Escape and jail break.....	49	-	27	5	11	1	5	-
Kidnaping.....	1	-	-	-	1	-	-	-
Perjury.....	16	-	3	5	8	-	-	-
Other offenses:								
Minor assault.....	1,021	-	29	324	435	224	2	7
Nonsupport or neglect.....	3,552	-	31	479	46	1,205	9	¹ 1,782
Violating liquor laws.....	1,718	-	8	385	519	806	-	-
Driving while intoxicated.....	2,639	-	2	631	1,281	723	2	-
Other motor-vehicle laws.....	1,408	-	17	349	461	576	4	1
Disorderly conduct and vagrancy.	120	-	1	35	41	41	1	1
Gambling.....	995	-	-	181	300	512	1	1
All other offenses.....	1,693	-	41	638	372	457	99	86

¹The nature of the sentence has been reported as "order from the court for support."

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: RHODE ISLAND, 1939

There were 632 defendants charged with major offenses who were disposed of by the superior courts of Rhode Island during the calendar year 1939, according to data reported by the Department of Social Welfare at Providence to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939, 98.9 percent of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	632	100.0	651	100.0	568	100.0	560	100.0
Eliminated without conviction...	7	1.1	26	4.0	8	1.4	22	3.9
Dismissed.....	7	1.1	26	4.0	4	0.7	17	3.0
Acquitted by court (jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	-	-	-	-	4	0.7	2	0.4
Other no-penalty disposition..	-	-	-	-	-	-	3	0.5
Convicted.....	625	98.9	625	96.0	560	98.6	538	96.1
Plea of guilty.....	625	98.9	625	96.0	557	98.1	534	95.4
Court finds guilty.....	-	-	-	-	-	-	-	-
Jury verdict guilty.....	-	-	-	-	3	0.5	4	0.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed and nolle prosequi	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea ¹ guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	666	12	12	-	-	-	654	654	-	-
Major offenses, total.....	632	7	7	-	-	-	625	625	-	-
Murder.....	1	-	-	-	-	-	1	1	-	-
Manslaughter.....	5	-	-	-	-	-	5	5	-	-
Robbery.....	29	1	1	-	-	-	28	28	-	-
Aggravated assault.....	4	-	-	-	-	-	4	4	-	-
Burglary.....	310	2	2	-	-	-	308	308	-	-
Larceny, except auto theft.....	18	-	-	-	-	-	18	18	-	-
Auto theft.....	95	-	-	-	-	-	95	95	-	-
Embezzlement and fraud.....	28	-	-	-	-	-	28	28	-	-
Stolen property, receiving, etc.	3	-	-	-	-	-	3	3	-	-
Forgery and counterfeiting.....	17	-	-	-	-	-	17	17	-	-
Rape.....	26	1	1	-	-	-	25	25	-	-
Commercialized vice.....	9	-	-	-	-	-	9	9	-	-
Other sex offenses.....	11	-	-	-	-	-	11	11	-	-
Violating drug laws.....	4	-	-	-	-	-	4	4	-	-
Carrying, etc., weapons.....	41	1	1	-	-	-	40	40	-	-
Other major offenses.....	31	2	2	-	-	-	29	29	-	-
Abortion.....	11	2	2	-	-	-	9	9	-	-
Arson.....	10	-	-	-	-	-	10	10	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	6	-	-	-	-	-	6	6	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses:										
Minor assault.....	1	1	1	-	-	-	-	-	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	6	-	-	-	-	-	6	6	-	-
Other motor-vehicle laws.....	11	1	1	-	-	-	10	10	-	-
Disorderly conduct and vagrancy.	5	-	-	-	-	-	5	5	-	-
Gambling.....	3	-	-	-	-	-	3	3	-	-
All other offenses.....	8	3	3	-	-	-	5	5	-	-

¹Defendants who were convicted on a plea of nolo contendere are included with pleas of guilty.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	625	100.0	625	100.0	560	100.0	538	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories.	194	31.0	162	25.9	146	26.1	116	21.6
Probation and suspended sentence	377	60.3	405	64.8	346	61.8	354	65.8
Local jails, workhouses, etc....	46	7.4	57	9.1	59	10.5	63	11.7
Fine or costs only.....	8	1.3	1	0.2	3	0.5	5	0.9
Institutions for juveniles.....	-	-	-	-	6	1.1	-	-
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	654	-	197	333	58	16	-	-
Major offenses, total.....	625	-	194	377	46	8	-	-
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	5	-	2	3	-	-	-	-
Robbery.....	28	-	18	9	1	-	-	-
Aggravated assault.....	4	-	3	1	-	-	-	-
Burglary.....	308	-	80	199	29	-	-	-
Larceny, except auto theft.....	18	-	5	10	1	2	-	-
Auto theft.....	95	-	29	60	6	-	-	-
Embezzlement and fraud.....	23	-	8	15	5	-	-	-
Stolen property, receiving, etc.	3	-	-	2	-	1	-	-
Forgery and counterfeiting.....	17	-	1	10	1	5	-	-
Rape.....	25	-	12	13	-	-	-	-
Commercialized vice.....	9	-	1	8	-	-	-	-
Other sex offenses.....	11	-	3	7	1	-	-	-
Violating drug laws.....	4	-	3	1	-	-	-	-
Carrying, etc., weapons.....	40	-	14	25	1	-	-	-
Other major offenses.....	29	-	14	14	1	-	-	-
Abortion.....	9	1	5	4	-	-	-	-
Arson.....	10	-	2	7	1	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	6	-	6	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault.....	-	-	-	-	-	-	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	6	-	-	1	2	3	-	-
Other motor-vehicle laws.....	10	-	-	2	7	1	-	-
Disorderly conduct and vagrancy.	5	-	-	1	2	2	-	-
Gambling.....	3	-	2	1	-	-	-	-
All other offenses.....	5	-	1	1	1	2	-	-

JUDICIAL CRIMINAL STATISTICS: SOUTH DAKOTA, 1939

There were 468 defendants charged with major offenses who were disposed of by the circuit courts of South Dakota during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 7 out of every 8 (88.7 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	468	100.0	392	100.0	526	100.0	512	100.0
Eliminated without conviction....	53	11.3	51	13.0	85	16.2	71	13.9
Dismissed.....	38	8.1	35	8.9	70	13.3	48	9.4
Acquitted by court(jury waived)	-	-	2	0.5	1	0.2	-	-
Acquitted by jury.....	13	2.8	13	3.3	13	2.5	18	3.5
Other no-penalty disposition...	2	0.4	1	0.3	1	0.2	5	1.0
Convicted.....	415	88.7	341	87.0	441	83.8	441	86.1
Plea of guilty.....	374	79.9	305	77.8	406	77.2	419	81.8
Court finds guilty.....	22	4.7	26	6.6	9	1.7	2	0.4
Jury verdict guilty.....	19	4.1	10	2.6	26	4.9	20	3.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	748	77	59	-	16	2	671	603	43	25
Major offenses, total.....	468	53	38	-	13	2	415	374	22	19
Murder.....	3	-	-	-	-	-	3	2	-	1
Manslaughter.....	6	2	1	-	1	-	4	4	-	-
Robbery.....	11	-	-	-	-	-	11	9	-	2
Aggravated assault.....	11	5	5	-	-	-	6	6	-	-
Burglary.....	81	10	7	-	3	-	71	68	2	1
Larceny, except auto theft.....	156	9	6	-	2	1	147	133	7	7
Auto theft.....	17	-	-	-	-	-	17	13	4	-
Embezzlement and fraud.....	37	5	5	-	-	-	32	32	-	-
Stolen property, receiving, etc..	11	-	-	-	-	-	11	7	3	1
Forgery and counterfeiting.....	69	5	4	-	1	-	64	62	2	-
Rape.....	26	7	5	-	2	-	19	12	1	6
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	24	5	4	-	-	1	19	17	2	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	-	-	-	-	5	4	1	-
Other major offenses.....	11	5	1	-	4	-	6	5	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	3	2	1	-	1	-	1	1	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	-	-	4	4	-	-
Kidnaping.....	3	3	-	-	3	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	-	-	1
Other offenses:										
Minor assault.....	10	3	3	-	-	-	7	5	-	2
Nonsupport or neglect.....	16	3	3	-	-	-	13	10	3	-
Violating liquor laws.....	29	1	1	-	-	-	28	24	3	1
Driving while intoxicated.....	104	3	2	-	1	-	101	96	5	-
Other motor-vehicle laws.....	28	6	5	-	1	-	22	22	-	-
Disorderly conduct and vagrancy..	8	2	2	-	-	-	6	5	1	-
Gambling.....	15	-	-	-	-	-	15	15	-	-
All other offenses.....	70	6	5	-	1	-	64	52	9	3

On the basis of the 1930 population, reports cover 97.3 percent of the population of the State in 1936, 99.6 percent in 1937, 76.3 percent in 1938, and (on the basis of the 1940 population) 94.4 percent in 1939.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness..

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	415	100.0	341	100.0	441	100.0	441	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories..	231	55.7	191	56.0	257	58.3	271	61.5
Probation and suspended sentence..	87	21.0	68	19.9	82	18.6	95	21.5
Local jails, workhouses, etc.....	79	19.0	69	20.2	79	17.9	66	15.0
Fine or costs only.....	7	1.7	7	2.1	16	3.6	7	1.6
Institutions for juveniles.....	11	2.7	6	1.8	7	1.6	2	0.5
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	671	-	248	125	183	98	14	3
Major offenses, total.....	415	-	231	87	79	7	11	-
Murder.....	3	-	3	-	-	-	-	-
Manslaughter.....	4	-	4	-	-	-	-	-
Robbery.....	11	-	8	1	2	-	-	-
Aggravated assault.....	6	-	2	2	1	1	-	-
Burglary.....	71	-	40	15	12	1	3	-
Larceny, except auto theft.....	147	-	71	41	31	1	3	-
Auto theft.....	17	-	9	4	2	1	1	-
Embezzlement and fraud.....	32	-	17	5	9	-	1	-
Stolen property, receiving, etc..	11	-	2	6	3	-	-	-
Forgery and counterfeiting.....	64	-	42	9	13	-	-	-
Rape.....	19	-	15	-	4	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	19	-	13	2	1	2	1	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	1	1	1	1	1	-
Other major offenses.....	6	-	4	1	-	-	1	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	1	-	1	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	2	1	-	-	1	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses:								
Minor assault.....	7	-	-	1	5	1	-	-
Nonsupport or neglect.....	13	-	4	9	-	-	-	-
Violating liquor laws.....	28	-	-	1	15	12	-	-
Driving while intoxicated.....	101	-	-	15	52	34	-	-
Other motor-vehicle laws.....	22	-	-	3	6	13	-	-
Disorderly conduct and vagrancy..	6	-	-	1	1	2	2	-
Gambling.....	15	-	-	-	-	15	-	-
All other offenses.....	64	-	13	8	25	14	1	3

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: UTAH, 1939

There were 415 defendants charged with major offenses who were disposed of by the district courts of Utah during the calendar year 1939 according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 5 out of every 6 (83.4 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	415	100.0	383	100.0	377	100.0	291	100.0
Dismissed without conviction.....	69	16.6	102	26.6	81	21.5	95	32.6
Dismissed.....	36	8.7	41	10.7	47	12.5	61	21.0
Acquitted by court (jury waived)....	7	1.7	14	3.7	1	0.3	-	-
Acquitted by jury.....	23	5.5	45	11.7	31	8.2	28	9.6
Other no-penalty disposition.....	3	0.7	2	0.5	2	0.5	6	2.1
Convicted.....	346	83.4	281	73.4	296	78.5	196	67.4
Plea of guilty.....	257	61.9	208	54.3	221	58.6	139	47.8
Court finds guilty.....	12	2.9	13	3.4	9	2.4	5	1.7
Jury verdict guilty.....	77	18.6	60	15.7	66	17.5	52	17.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: UTAH, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	529	101	58	9	31	3	428	314	18	96
Major offenses, total.....	415	69	36	7	23	3	346	257	12	77
Order.....	8	2	-	-	2	-	6	1	-	5
Inebriation.....	7	2	-	1	1	-	5	1	-	4
Larceny.....	24	5	-	-	5	-	19	8	-	11
Aggravated assault.....	16	5	1	-	3	1	11	7	1	3
Burglary.....	153	18	14	-	4	-	135	115	3	17
Larceny, except auto theft.....	60	11	5	2	3	1	49	33	3	13
Auto theft.....	23	-	-	-	-	-	23	19	3	1
Embezzlement and fraud.....	8	2	1	-	1	-	6	6	-	-
Stolen property, receiving, etc..	4	1	-	1	-	-	3	2	-	1
Forgery and counterfeiting.....	47	5	4	-	-	1	42	38	1	3
Perjury.....	23	2	-	1	1	-	21	12	-	9
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	27	11	7	2	2	-	16	8	1	7
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	7	3	2	-	1	-	4	4	-	-
Other major offenses.....	8	2	2	-	-	-	6	3	-	3
Abortion.....	-	-	-	-	-	-	-	-	-	-
Person.....	2	1	1	-	-	-	1	-	-	1
Bigamy.....	2	1	1	-	-	-	1	1	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	4	-	-	-	-	-	4	2	-	2
Other offenses:										
Minor assault.....	14	2	1	1	-	-	12	9	-	3
Support or neglect.....	15	7	6	-	1	-	8	5	3	-
Violating liquor laws.....	31	3	3	-	-	-	28	23	-	5
Dwelling while intoxicated.....	11	5	1	-	4	-	6	4	-	2
Other motor-vehicle laws.....	17	5	2	1	2	-	12	3	3	6
Disorderly conduct and vagrancy..	3	1	1	-	-	-	2	1	-	1
Drinking.....	2	2	2	-	-	-	-	-	-	-
All other offenses.....	21	7	6	-	1	-	14	12	-	2

On the basis of the 1930 population, reports cover 98.3 percent of the population of the State in 1936 and 100.0 percent in 1937, 1938, and 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	346	100.0	281	100.0	296	100.0	190	100.0
Death penalty.....	-	-	1	0.4	-	-	-	-
State prisons and reformatories....	156	45.1	151	53.7	168	56.8	118	62.1
Probation and suspended sentence....	159	46.0	104	37.0	86	29.1	36	18.9
Local jails, workhouses, etc.....	23	6.6	21	7.5	33	11.1	27	14.2
Fine or costs only.....	6	1.7	1	0.4	5	1.7	9	4.7
Institutions for juveniles.....	2	0.6	3	1.1	4	1.4	-	-
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: UTAH, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	428	-	161	191	44	30	2	-
Major offenses, total.....	346	-	156	159	23	6	2	-
Murder.....	6	-	6	-	-	-	-	-
Manslaughter.....	5	-	-	1	4	-	-	-
Robbery.....	19	-	10	9	-	-	-	-
Aggravated assault.....	11	-	8	3	-	-	-	-
Burglary.....	135	-	56	69	5	3	2	-
Larceny, except auto theft.....	49	-	19	23	7	-	-	-
Auto theft.....	23	-	10	12	1	-	-	-
Embezzlement and fraud.....	6	-	1	4	1	-	-	-
Stolen property, receiving, etc..	3	-	-	1	2	-	-	-
Forgery and counterfeiting.....	42	-	21	19	2	-	-	-
Rape.....	21	-	12	6	1	2	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	16	-	10	6	-	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	4	-	2	2	-	-	-	-
Other major offenses.....	6	-	1	4	-	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	1	-	-	1	-	-	-	-
Bigamy.....	1	-	1	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	4	-	-	3	-	1	-	-
Other offenses:								
Minor assault.....	12	-	-	3	6	3	-	-
Nonsupport or neglect.....	8	-	-	8	-	-	-	-
Violating liquor laws.....	28	-	-	9	10	9	-	-
Driving while intoxicated.....	6	-	-	1	4	1	-	-
Other motor-vehicle laws.....	12	-	-	4	-	8	-	-
Disorderly conduct and vagrancy..	2	-	-	-	1	1	-	-
Gambling.....	-	-	-	-	-	-	-	-
All other offenses.....	14	-	5	7	-	2	-	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: VERMONT, 1939

There were 425 defendants charged with major offenses who were disposed of by the county and municipal courts of Vermont during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 over three-fourths (77.2 percent) of all defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	425	100.0	434	100.0	649	100.0	377	100.0
Eliminated without conviction....	97	22.8	96	22.1	144	22.2	96	25.5
Dismissed.....	79	18.8	86	19.8	117	18.0	76	20.2
Acquitted by court(jury waived)	1	0.2	1	0.2	1	0.2	3	0.8
Acquitted by jury.....	11	2.6	2	0.5	8	1.2	4	1.1
Other no-penalty disposition...	6	1.4	7	1.6	18	2.8	13	3.4
Convicted.....	328	77.2	338	77.9	505	77.8	281	74.5
Plea of guilty.....	311	73.2	317	73.0	486	74.9	256	67.9
Court finds guilty.....	1	0.2	1	0.2	-	-	2	0.5
Jury verdict guilty.....	16	3.8	20	4.6	19	2.9	23	6.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: VERMONT, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,030	395	357	3	27	8	2,635	2,598	7	30
Major offenses, total.....	425	97	79	1	11	6	328	311	1	16
Murder.....	2	1	-	-	-	1	1	-	-	1
Manslaughter.....	-	-	-	-	-	-	-	-	-	-
Robbery.....	3	-	-	-	-	-	3	-	-	-
Aggravated assault.....	14	-	-	-	-	-	14	-	-	-
Burglary.....	74	7	7	-	-	-	67	66	-	1
Larceny, except auto theft.....	162	43	37	1	4	1	119	116	-	3
Auto theft.....	14	-	-	-	-	-	14	13	-	1
Embezzlement and fraud.....	30	6	6	-	-	-	24	23	-	1
Stolen property, receiving, etc..	3	1	1	-	-	-	2	2	-	-
Forgery and counterfeiting.....	23	7	5	-	1	1	16	15	-	1
Rape.....	19	8	5	-	2	1	11	8	-	3
Commercialized vice.....	2	1	1	-	-	-	1	1	-	-
Other sex offenses.....	53	12	7	-	4	1	41	37	-	4
Violating drug laws.....	9	2	2	-	-	-	7	6	1	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	17	9	8	-	-	1	8	7	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	8	4	4	-	-	-	4	3	-	1
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	4	1	-	-	-	1	3	3	-	-
Kidnaping.....	3	3	3	-	-	-	-	-	-	-
Perjury.....	2	1	1	-	-	-	1	1	-	-
Other offenses:										
Minor assault.....	53	17	13	-	1	-	36	36	-	-
Nonsupport or neglect.....	43	15	15	-	-	-	28	28	-	-
Violating liquor laws.....	31	6	5	-	1	-	25	24	-	1
Driving while intoxicated.....	145	12	9	-	3	-	133	126	-	7
Other motor-vehicle laws.....	887	64	55	1	8	-	823	818	2	3
Disorderly conduct and vagrancy..	1,320	154	151	1	2	-	1,166	1,164	1	1
Gambling.....	21	2	1	-	1	-	19	19	-	-
All other offenses.....	105	28	26	-	-	2	77	72	3	2

On the basis of the 1930 population, reports cover approximately 65.0 percent of the population of the State in 1936, 90.0 percent in 1937, 56.0 percent in 1938, and 59.5 percent in 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used for the same general classes of offenses. In interpreting these data it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	328	100.0	338	100.0	505	100.0	281	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories..	134	40.9	128	37.9	184	36.4	134	47.7
Probation and suspended sentence.	97	29.6	87	25.7	132	26.1	59	21.0
Local jails, workhouses, etc.....	53	16.2	83	24.6	122	24.2	43	15.3
Fine or costs only.....	30	9.1	34	10.1	59	11.7	40	14.2
Institutions for juveniles.....	13	4.0	6	1.8	8	1.6	5	1.8
Other sentences.....	1	0.3	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: VERMONT, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	2,635	-	165	197	687	1,568	17	1
Major offenses, total.....	328	-	134	97	53	30	13	1
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	-	-	-	-	-	-	-	-
Robbery.....	3	-	3	-	-	-	-	-
Aggravated assault.....	14	-	7	7	-	-	-	-
Burglary.....	67	-	40	23	-	-	4	-
Larceny, except auto theft.....	119	-	23	31	38	21	5	1
Auto theft.....	14	-	8	3	2	-	1	-
Embezzlement and fraud.....	24	-	6	8	5	5	-	-
Stolen property, receiving, etc..	2	-	-	1	-	1	-	-
Forgery and counterfeiting.....	16	-	8	5	2	-	1	-
Rape.....	11	-	6	5	-	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	41	-	20	12	5	2	2	-
Violating drug laws.....	7	-	7	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	8	-	4	2	1	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	4	-	1	1	1	1	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	3	-	3	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	1	-	-	-	-
Other offenses:								
Minor assault.....	36	-	-	12	9	15	-	-
Nonsupport or neglect.....	28	-	6	21	1	-	-	-
Violating liquor laws.....	25	-	6	11	-	8	-	-
Driving while intoxicated.....	133	-	2	16	16	99	-	-
Other motor-vehicle laws.....	823	-	4	18	18	781	2	-
Disorderly conduct and vagrancy..	1,166	-	9	14	570	572	1	-
Gambling.....	19	-	-	-	2	17	-	-
All other offenses.....	77	-	4	8	18	46	1	-

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: WASHINGTON, 1939

There were 1,614 defendants charged with major offenses who were disposed of by the superior courts of Washington during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 5 out of every 6 (84.3 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,614	100.0	1,637	100.0	1,579	100.0	1,501	100.0
Eliminated without conviction....	254	15.7	280	17.1	290	18.4	315	21.0
Dismissed.....	177	11.0	200	12.2	219	13.9	199	13.3
Acquitted by court (jury waived)	1	0.1	6	0.4	2	0.1	2	0.1
Acquitted by jury.....	58	3.6	58	3.5	52	3.3	47	3.1
Other no-penalty disposition...	18	1.1	16	1.0	17	1.1	67	4.5
Convicted.....	1,360	84.3	1,357	82.9	1,289	81.6	1,186	79.0
Plea of guilty.....	1,235	76.5	1,206	73.7	1,128	71.4	1,015	67.6
Court finds guilty.....	4	0.2	19	1.2	18	1.1	8	0.5
Jury verdict guilty.....	121	7.5	132	8.1	143	9.1	163	10.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,996	397	289	1	84	23	1,599	1,447	10	142
Major offenses, total.....	1,614	254	177	1	58	18	1,360	1,235	4	121
Murder.....	13	6	2	-	3	1	7	4	-	3
Manlaughter.....	29	12	5	-	7	-	17	11	-	6
Robbery.....	88	17	12	1	2	2	71	61	-	10
Aggravated assault.....	45	12	5	-	5	2	33	27	-	6
Burglary.....	377	28	17	-	7	4	349	322	1	26
Larceny, except auto theft.....	507	89	67	-	16	6	418	387	2	29
Auto theft.....	124	14	11	-	2	1	110	106	-	4
Embezzlement and fraud.....	10	5	5	-	-	-	5	5	-	-
Stolen property, receiving, etc..	10	1	1	-	-	-	9	8	-	1
Forgery and counterfeiting.....	161	15	14	-	-	1	146	138	1	7
Rape.....	22	6	5	-	1	-	16	8	-	8
Commercialized vices.....	6	2	1	-	1	-	4	4	-	-
Other sex offenses.....	154	27	18	-	8	1	127	112	-	15
Violating drug laws.....	24	7	7	-	-	-	17	15	-	2
Carrying, etc., weapons.....	10	3	2	-	1	-	7	7	-	-
Other major offenses.....	34	10	5	-	5	-	24	20	-	4
Abortion.....	1	-	-	-	-	-	1	-	-	1
Arson.....	19	7	4	-	3	-	12	12	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	-	-	4	4	-	-
Kidnaping.....	4	-	-	-	-	-	4	1	-	3
Perjury.....	4	3	1	-	2	-	1	1	-	-
Other offenses:										
Minor assault.....	52	18	14	-	3	1	34	31	-	3
Nonsupport or neglect.....	45	21	20	-	1	-	24	21	2	1
Violating liquor laws.....	31	10	7	-	2	1	21	20	1	-
Driving while intoxicated.....	49	14	6	-	7	1	35	26	-	9
Other motor-vehicle laws.....	57	9	6	-	2	1	48	47	-	1
Disorderly conduct and vagrancy..	27	15	15	-	-	-	12	12	-	-
Gambling.....	17	5	5	-	-	-	12	12	-	-
All other offenses.....	104	51	39	-	11	1	53	43	3	7

On the basis of the 1930 population, reports cover 99.5 percent of the population of the State in 1936, 100 percent in 1937, 1938, and 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, however, it should be remembered that several of these classes of offenses include charges of widely varying degree of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,360	100.0	1,357	100.0	1,289	100.0	1,170	100.0
Death.....	2	0.1	4	0.3	5	0.4	1	0.1
State prisons and reformatories..	776	57.1	853	62.9	847	65.7	763	65.2
Probation and suspended sentence.	356	26.2	288	21.2	193	15.0	202	17.3
Local jails, workhouses, etc.....	203	14.9	198	14.6	231	17.9	182	15.6
Fine or costs only.....	12	0.9	7	0.5	13	1.0	15	1.3
Institutions for juveniles.....	9	0.7	7	0.5	-	-	7	0.6
Other sentences.....	2	0.1	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	1,599	2	789	421	287	86	11	3
Major offenses, total.....	1,360	2	776	356	203	12	9	2
Murder.....	7	1	6	-	-	-	-	-
Manslaughter.....	17	-	6	1	10	-	-	-
Robbery.....	71	-	59	12	-	-	-	-
Aggravated assault.....	33	-	25	5	2	1	-	-
Burglary.....	349	-	229	104	9	-	6	1
Larceny, except auto theft.....	418	-	155	131	126	5	1	-
Auto theft.....	110	-	60	43	5	-	2	-
Embezzlement and fraud.....	5	-	2	1	2	-	-	-
Stolen property, receiving, etc..	9	-	2	3	4	-	-	-
Forgery and counterfeiting.....	146	-	115	26	5	-	-	-
Rape.....	16	-	16	-	-	-	-	-
Commercialized vice.....	4	-	2	1	-	1	-	-
Other sex offenses.....	127	-	74	19	31	2	-	1
Violating drug laws.....	17	-	10	3	4	-	-	-
Carrying, etc., weapons.....	7	-	2	2	-	3	-	-
Other major offenses.....	24	1	13	5	5	-	-	-
Abortion.....	1	-	-	-	1	-	-	-
Arson.....	12	-	7	4	1	-	-	-
Bigamy.....	2	-	-	-	2	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	3	-	1	-	-	-
Kidnaping.....	4	1	2	1	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses:								
Minor assault.....	34	-	-	7	23	4	-	-
Nonsupport or neglect.....	24	-	-	20	2	2	-	-
Violating liquor laws.....	21	-	1	2	6	10	-	-
Driving while intoxicated.....	35	-	1	4	14	16	-	-
Other motor-vehicle laws.....	48	-	1	8	16	21	2	-
Disorderly conduct and vagrancy..	12	-	-	3	9	-	-	-
Gambling.....	12	-	-	-	-	12	-	-
All other offenses.....	53	-	10	21	12	9	-	1

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: WISCONSIN, 1939

There were 3,225 defendants charged with major offenses who were disposed of by the trial courts in Wisconsin during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census.

Table 1 shows the disposition of these defend-

ants for each of the last 4 years. In 1939 approximately 5 out of every 6 (84.3 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,225	100.0	3,430	100.0	3,024	100.0	3,005	100.0
Eliminated without conviction....	506	15.7	472	13.8	476	15.7	670	22.3
Dismissed.....	388	12.0	335	9.8	332	11.0	454	15.1
Acquitted by court(jury waived)	47	1.5	71	2.1	41	1.4	42	1.4
Acquitted by jury.....	27	0.8	34	1.0	39	1.3	41	1.4
Other no-penalty disposition...	44	1.4	32	0.9	64	2.1	133	4.4
Convicted.....	2,719	84.3	2,958	86.2	2,548	84.3	2,335	77.7
Plea of guilty.....	2,373	73.6	2,585	75.4	2,275	75.2	2,049	68.2
Court finds guilty.....	277	8.6	290	8.5	190	6.3	199	6.6
Jury verdict guilty.....	69	2.1	83	2.4	83	2.7	87	2.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	23,301	13,277	1,080	121	47	12,029	10,024	9,112	815	97
Major offenses, total.....	3,225	506	388	47	27	44	2,719	2,373	277	69
Order.....	12	1	-	-	-	1	11	7	-	4
Mislaughter.....	32	4	1	1	2	-	28	21	3	4
Robbery.....	87	6	2	1	3	-	81	67	11	3
Aggravated assault.....	134	33	21	6	2	4	101	71	22	8
Burglary.....	529	43	37	5	1	-	486	446	33	7
Auto theft, except auto theft.....	810	84	69	10	3	2	726	620	95	11
Auto theft.....	229	30	20	5	3	2	199	183	15	1
Embezzlement and fraud.....	366	139	119	5	2	13	227	197	26	4
Stolen property, receiving, etc.....	52	13	12	1	-	-	39	34	2	3
Forgery and counterfeiting.....	258	17	14	-	1	2	241	233	7	1
Perjury.....	186	29	16	4	5	4	157	135	12	10
Commercialized vice.....	43	11	10	-	1	-	32	32	-	-
Sex offenses.....	393	73	53	7	2	11	320	262	50	8
Violating drug laws.....	3	1	-	-	-	1	2	2	-	-
Carrying, etc., weapons.....	16	2	1	1	-	-	14	14	-	-
Other major offenses.....	75	20	13	1	2	4	55	49	1	5
Abortion.....	4	1	1	-	-	-	3	2	-	1
Person.....	29	7	2	-	1	4	22	19	-	3
Bigamy.....	3	1	1	-	-	-	2	2	-	-
Blackmail and extortion.....	4	-	-	-	-	-	4	4	-	-
Escape and jail break.....	9	2	2	-	-	-	7	7	-	-
Kidnaping.....	1	1	1	-	-	-	-	-	-	-
Perjury.....	25	8	6	1	1	-	17	15	1	1
Other offenses:										
For assault.....	265	98	84	7	4	3	167	120	47	-
Support or neglect.....	409	140	92	22	2	24	269	225	41	3
Violating liquor laws.....	138	36	35	1	-	-	102	79	18	5
Driving while intoxicated.....	836	51	10	8	-	33	785	674	108	3
Per motor-vehicle laws.....	13,959	11,867	186	12	1	11,668	2,092	1,970	120	2
Disorderly conduct and vagrancy..	3,578	373	133	7	1	232	3,205	3,097	108	-
Rebelling.....	89	8	8	-	-	-	81	69	11	1
Other offenses.....	802	198	144	17	12	25	604	505	85	14

Increase due to bail forfeitures reported by Dane County Superior Court.
On the basis of the 1930 population, reports cover 99.2 percent of the population of the State in 1936, 97 percent in 1937, 95.0 percent in 1938, and (on the basis of the 1940 preliminary population) 93.0 percent in 1939.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include charges of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,719	100.0	2,958	100.0	2,548	100.0	2,330	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons and reformatories..	830	30.5	899	30.4	730	28.6	717	30.8
Probation and suspended sentence.	1,154	42.4	1,158	39.1	1,053	41.3	855	36.7
Local jails, workhouses, etc.....	431	15.9	561	19.0	500	19.6	488	20.9
Fine or costs only.....	264	9.7	315	10.6	235	9.2	252	10.8
Institutions for juveniles.....	36	1.3	25	0.8	30	1.2	13	0.6
Other sentences.....	4	0.1	-	-	-	-	5	0.2

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1939

Offense	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation and suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	10,024	-	936	3,407	1,423	4,047	37	174
Major offenses, total.....	2,719	-	830	1,154	431	264	36	4
Murder.....	11	-	11	-	-	-	-	-
Manslaughter.....	28	-	15	6	2	5	-	-
Robbery.....	81	-	59	15	5	-	2	-
Aggravated assault.....	101	-	44	21	22	13	1	-
Burglary.....	486	-	200	238	40	2	6	-
Larceny, except auto theft.....	726	-	127	316	181	88	12	2
Auto theft.....	199	-	54	100	27	11	7	-
Embezzlement and fraud.....	227	-	38	114	45	28	-	2
Stolen property, receiving, etc..	39	-	7	14	8	10	-	-
Forgery and counterfeiting.....	241	-	94	116	24	7	-	-
Rape.....	157	-	59	75	9	14	-	-
Commercialized vice.....	32	-	4	6	3	19	-	-
Other sex offenses.....	320	-	103	96	57	57	7	-
Violating drug laws.....	2	-	-	-	1	1	-	-
Carrying, etc., weapons.....	14	-	1	6	2	4	1	-
Other major offenses.....	55	-	14	31	5	5	-	-
Abortion.....	3	-	1	1	1	-	-	-
Arson.....	22	-	11	10	1	-	-	-
Bigamy.....	2	-	-	1	1	-	-	-
Blackmail and extortion.....	4	-	-	1	1	2	-	-
Escape and jail break.....	7	-	-	5	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	17	-	2	13	-	2	-	-
Other offenses:								
Minor assault.....	167	-	3	55	35	74	-	-
Nonsupport or neglect.....	269	-	30	194	42	3	-	-
Violating liquor laws.....	102	-	1	14	5	82	-	-
Driving while intoxicated.....	785	-	-	19	43	611	-	112
Other motor-vehicle laws.....	2,092	-	9	303	72	1,659	-	49
Disorderly conduct and vagrancy..	3,205	-	16	1,572	704	911	-	2
Gambling.....	81	-	-	-	-	81	-	-
All other offenses.....	604	-	47	96	91	362	1	7

DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: WYOMING, 1939

There were 385 defendants charged with major offenses who were disposed of by the district courts during the calendar year 1939, according to data reported by the clerks of court to the Bureau of the Census. Table 1 shows the disposition of these defendants for each of the last 4 years.

In 1939 approximately 5 out of every 6 (83.4 percent) defendants disposed of were convicted.

Table 2 presents detailed figures of all dispositions in 1939, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	385	100.0	317	100.0	328	100.0	273	100.0
Dismissed without conviction.....	84	16.6	70	22.1	62	18.9	71	26.0
Dismissed.....	54	14.0	53	16.7	51	15.5	49	17.9
Quitted by court (jury waived).....	-	-	5	1.6	-	-	1	0.4
Quitted by jury.....	9	2.3	11	3.5	10	3.0	6	2.2
Other no-penalty disposition.....	1	0.3	1	0.3	1	0.3	15	5.5
Convicted.....	321	83.4	247	77.9	266	81.1	202	74.0
Acquitted.....	311	80.8	233	73.5	241	73.5	187	68.5
Acquitted by jury.....	-	-	8	2.5	11	3.4	3	1.1
Acquitted by verdict guilty.....	10	2.6	6	1.9	14	4.3	12	4.4

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1939

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	597	139	125	3	9	2	458	425	21	12
Major offenses, total.....	385	64	54	-	9	1	321	311	-	10
Arson.....	4	3	1	-	2	-	1	-	-	1
Burglary.....	7	3	2	-	1	-	4	2	-	2
Carrying dangerous weapons.....	17	1	1	-	-	-	16	13	-	3
Aggravated assault.....	17	4	4	-	-	-	13	12	-	1
Robbery.....	98	7	7	-	-	-	91	89	-	2
Auto theft, except auto theft.....	92	15	12	-	2	1	77	76	-	1
Auto theft.....	29	3	3	-	-	-	26	26	-	-
Embezzlement and fraud.....	22	6	5	-	1	-	16	16	-	-
Receiving property, receiving, etc.....	9	4	3	-	1	-	5	5	-	-
Forgery and counterfeiting.....	70	9	9	-	-	-	61	61	-	-
.....	17	8	6	-	2	-	9	9	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Sex offenses.....	1	-	-	-	-	-	1	1	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	2	1	1	-	-	-	1	1	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-
Assault.....	1	1	1	-	-	-	-	-	-	-
Swindling.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Aggravated assault.....	14	3	3	-	-	-	11	7	3	1
Support or neglect.....	15	7	7	-	-	-	8	8	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Being while intoxicated.....	51	20	20	-	-	-	31	29	1	1
Motor-vehicle laws.....	21	7	6	-	-	1	14	14	-	-
Disorderly conduct and vagrancy.....	7	-	-	-	-	-	7	7	-	-
.....	5	2	2	-	-	-	3	3	-	-
Other offenses.....	99	36	33	3	-	-	63	46	17	-

On the basis of the 1930 population, the reports cover 92.5 percent in 1936, 96.4 percent in 1937, 93.9 percent in 1938, and 100.0 percent in 1939.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the variety of sentences used

for the same general classes of offenses. In interpreting these data, it should be remembered that several of these classes of offenses include offenses of widely varying degrees of seriousness.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1939		1938		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	321	100.0	247	100.0	266	100.0	202	100.0
Death penalty.....	-	-	1	0.4	-	-	1	0.5
State prisons and reformatories.....	196	61.1	155	62.8	181	68.0	144	71.3
Probation or suspended sentence.....	89	27.7	41	16.6	46	17.3	28	13.9
Local jails, workhouses, etc.....	10	3.1	13	5.3	25	9.4	18	8.9
Fine or costs only.....	6	1.9	6	2.4	14	5.3	10	4.9
Institutions for juveniles.....	20	6.2	31	12.6	-	-	-	-
Other sentences.....	-	-	-	-	-	-	1	0.5

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: WYOMING

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only
All offenses.....	458	-	212	142	33	42	29
Major offenses, total.....	321	-	196	89	10	6	20
Murder.....	1	-	1	-	-	-	-
Manslaughter.....	4	-	4	-	-	-	-
Robbery.....	16	-	11	4	1	-	-
Aggravated assault.....	13	-	9	3	1	-	-
Burglary.....	91	-	42	39	2	-	8
Larceny, except auto theft.....	77	-	47	21	3	3	3
Auto theft.....	26	-	12	8	-	-	6
Embezzlement and fraud.....	16	-	11	3	-	2	-
Stolen property, receiving, etc.	5	-	4	-	1	-	-
Forgery and counterfeiting.....	61	-	50	6	2	1	2
Rape.....	9	-	4	4	-	-	1
Commercialized vice.....	-	-	-	-	-	-	-
Other sex offenses.....	1	-	1	-	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-
Other major offenses.....	1	-	-	1	-	-	-
Abortion.....	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-
Other offenses:							
Minor assault.....	11	-	-	2	2	7	-
Nonsupport or neglect.....	8	-	1	6	1	-	-
Violating liquor laws.....	-	-	-	-	-	-	-
Driving while intoxicated.....	31	-	-	15	14	2	-
Other motor-vehicle laws.....	14	-	1	3	1	7	2
Disorderly conduct and vagrancy.....	7	-	-	1	1	5	-
Gambling.....	3	-	-	-	-	3	-
All other offenses.....	63	-	14	26	4	12	7

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt. Director
WASHINGTON



JUDICIAL CRIMINAL STATISTICS 1940

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Prepared by COURTLANDT C. VAN VECHTEN, JR.
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Chief Statistician for Vital Statistics

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Kansas	North Dakota	Wisconsin
Massachusetts	Ohio	Wyoming

Symbols used in this report

Class or item not applicable-----	...
Data not available-----	---
Quantity is zero, in frequency tables-----	-
Quantity is zero, in rate and percent tables-----	0
Less than one-half of last figure to which decimal place is carried, if one place-----	0.0

JUDICIAL CRIMINAL STATISTICS, 1940

INTRODUCTION

Twenty-seven States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of in courts having original felony jurisdiction, during the year 1940. This is the ninth year in which the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States, 24 States furnished information for 1933, 27 for 1934, 30 for 1935 and 1936, 29 for 1937, 27 for 1938, and 25 for 1939. The two States returned to the 1940 collection were California and Indiana.

Scope of statistics.—The judicial criminal statistics gathered by the Bureau of the Census are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States, there is a court of general jurisdiction in each county that has authority to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender charged with a felony will be tried in a court of general jurisdiction, although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended in certain instances, to minor courts, such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders arrested on felony charges are finally disposed of in minor courts, either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor that is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case from the point of arrest or the filing of the first charge to final disposition, will there be data available to give us an adequate pic-

ture of the administration of criminal justice.

Methods of collection.—The judicial criminal statistics collected by the Bureau of the Census are based on annual reports made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. This provides for the tallying of all defendants disposed of during the year, by offense and method of disposition, and for the tallying of all persons convicted, by offense for which convicted and by sentence imposed. The 1940 data were collected by this tally-sheet method in 22 of the 27 States. In two of these 22 States, Michigan and Pennsylvania, a summary tally sheet was prepared from the clerks' reports and submitted to the Bureau by central agencies: The Department of Correction in Michigan and the Department of Welfare in Pennsylvania. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. For the District of Columbia, Minnesota, and 74 of the 88 Ohio counties, the data were reported by means of individual-case cards.

Tally-sheet Method

The accuracy of the data reported on the tally sheets necessarily depends on the care with which clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that instructions are necessarily general in order to apply to many jurisdictions, that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally-sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The classification of cases according to offense and particular method of disposition or type of sentence also is quite

difficult, and inasmuch as different clerks have different ideas as to how an offender should be classified, there is a resulting lack of uniformity in the data reported. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary were available, it probably would not be based on the same terms or units as the census reports. Further, if errors have been made in the process of tallying, there is no way to check or eliminate them except to repeat the entire process.

Case-card Method

A new method of collecting judicial criminal statistics on the basis of individual-case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia, and was continued during 1938, 1939, and 1940. Under this system the clerks of court fill out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collection, editing, and clarification of recorded data is done by a central statistical agency of the State, insuring uniform interpretation of the data reported. The cards are forwarded annually to the Bureau where they are coded and tabulated.

This method is far more flexible than the tally-sheet method because it makes possible a more intensive analysis of the data collected and can be adapted quite easily to the particular record-keeping routines used by the different clerks of court. As more work is required to tabulate, analyze, and summarize reports collected under the individual-case method, it would be difficult for the Bureau to undertake detailed supervision of such reports from a large number of States. Having tested the practicability of the individual-case method, the Census Bureau would encourage the establishment of State statistical bureaus or agencies for the collection of judicial criminal statistics. Such an agency could adapt the system to the particular laws, procedure, and practice of the State and make a much more detailed analysis of the statistics collected than could a national agency attempting to deal with all States. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the successful establishment and operation of such State bureaus.

Limitations of the statistics.—There are wide differences to be found between States both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page 10) that the 1940 statistics were collected

from several different kinds of courts and occasionally from two or three types within a single State. While most States have a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts that otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. However, the municipal courts of that State have been granted power to dispose of felony cases where the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both types of courts in Vermont to obtain adequate coverage of the felony convictions in that State.

There may be a great deal of variance in the extent of jurisdiction possessed by the general trial courts even within a single State. These courts have essentially a residual jurisdiction, that is, they handle and dispose of all types of cases that are not specifically given over to some other court for disposal. In some States this jurisdiction is divided between general trial courts and minor courts, having concurrent jurisdiction over misdemeanors. Frequently, in metropolitan counties the court of general jurisdiction will handle only felony cases, as the authority to dispose of all misdemeanor cases has been granted exclusively to the municipal court of the main city in the county. In the same State, however, the general trial courts in the rural counties will handle not only felony cases, but also a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties in comparison of these statistics. As has been the case each year since 1935, summary and comparative analysis of State material is limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics that would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There are no refinements of selection, however, which will make up for the fact that these statistics do not embody the results of the early stages of prosecution of felony cases. In many counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges in municipal or other minor courts before the cases ever reach the general trial courts, whereas in other counties very few felony cases will be disposed of in the minor courts, and the number of cases appearing in the trial courts will be, by comparison, exceedingly large. Consequently,

it is impossible to assume that statistics of courts of general jurisdiction fully account for prosecution practices. This fact limits the conclusions that may be drawn concerning variations in procedural and sentencing practices from State to State.

ANALYSIS OF 1940 DATA

Disposition and sentence, by States.—

The 1940 report consists principally of summaries for each of the 27 cooperating States. For 26 States it was possible to present a 4-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence. Such a comparison for a given State is much more reliable and useful than

any comparisons that might be made between States, for reasons already outlined.

The first four tables present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, present the same information for the 27 States combined, by offense.

Table 1¹ shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction, and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 35.8 in Indiana to 4.8 in Rhode Island, and conversely the proportion convicted ranges from 95.2 in Rhode Island to 64.2 in Indiana. For the 27 States taken individually, the median proportion convicted is 81.2 percent.

TABLE 1.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1940

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 27 States.....	76,543	17,517	22.9	59,026	77.1
California ¹	6,184	1,197	19.4	4,987	80.6
Colorado.....	1,327	273	20.6	1,054	79.4
Connecticut ²	901	121	13.4	780	86.6
District of Columbia.....	1,341	253	18.9	1,088	81.1
Idaho.....	576	103	17.9	473	82.1
Indiana.....	3,479	1,246	35.8	2,233	64.2
Iowa.....	2,195	498	22.7	1,697	77.3
Kansas.....	1,430	300	21.0	1,130	79.0
Massachusetts.....	3,194	547	17.1	2,647	82.9
Michigan.....	2,747	561	20.4	2,186	79.6
Minnesota.....	1,990	183	9.2	1,807	90.8
Montana.....	549	96	17.5	453	82.5
New Hampshire.....	432	51	11.8	381	88.2
New Jersey.....	7,250	1,731	23.9	5,519	76.1
New Mexico.....	969	284	29.3	685	70.7
New York.....	10,797	2,963	27.4	7,834	72.6
North Dakota.....	481	55	11.4	426	88.6
Ohio.....	5,320	867	16.3	4,453	83.7
Oregon.....	1,115	139	12.5	976	87.5
Pennsylvania.....	17,278	4,950	28.6	12,328	71.4
Rhode Island.....	600	29	4.8	571	95.2
South Dakota.....	478	62	13.0	416	87.0
Utah.....	394	74	18.8	320	81.2
Vermont.....	418	93	22.2	325	77.8
Washington.....	1,584	241	15.2	1,343	84.8
Wisconsin.....	3,192	528	16.5	2,664	83.5
Wyoming.....	322	72	22.4	250	77.6

¹In all tables, California totals will somewhat exceed the figures given in the California State report as data were received from 4 counties after the publication date of the separate report.

²Statistics are for the year July 1, 1940 through June 30, 1941.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination: (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions account for the great majority of defendants eliminated, ranging from 93.6 percent in Wisconsin to 44.4 percent in Massachusetts. The median proportion dismissed for the 27 States taken individually is 81.3 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States this is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 44.6 percent in Utah to 2.6 percent in Indiana. The median propor-

tion of defendants acquitted by jury for the 27 States is 16.4 percent.

Table 3 shows the number and proportion of convictions for each of the three types of conviction: (1) plea of guilty, (2) conviction by court after waiver of jury trial, and (3) jury verdict of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 98.9 percent in Rhode Island to 76.8 percent in Pennsylvania. The median percentage for the 26 States taken individually is 89.6 percent. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted for 19.4 percent of all convictions in Utah and 1.1 percent in Rhode Island. The median proportion of convictions by jury among the 26 States is 6.1 percent.

Table 4 shows, for each of the 27

TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1940

State	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Per cent	Number	Per cent	Number	Per cent
Total, 27 States.....	17,517	12,243	69.9	1,642	9.4	3,632	20.7
California.....	1,197	757	63.2	240	20.1	200	16.7
Colorado.....	273	219	80.2	5	2.0	49	17.9
Connecticut ¹	121	105	86.8	12	9.9	4	3.3
District of Columbia.....	253	166	65.6	35	13.8	52	20.6
Idaho.....	103	87	84.5	-	0	16	15.5
Indiana.....	1,246	1,093	87.7	120	9.6	33	2.6
Iowa.....	498	449	90.2	3	0.6	46	9.2
Kansas.....	300	245	81.7	6	2.0	49	16.3
Massachusetts.....	547	243	44.4	95	17.4	209	38.2
Michigan.....	561	488	87.0	14	2.5	59	10.5
Minnesota.....	183	137	74.9	3	1.6	43	23.5
Montana.....	96	75	78.1	-	0	21	21.9
New Hampshire.....	51	44	86.3	1	2.0	6	11.8
New Jersey.....	1,731	1,244	71.9	302	17.4	185	10.7
New Mexico.....	284	239	84.2	9	3.2	36	12.7
New York.....	2,963	2,453	82.8	-	0	510	17.2
North Dakota.....	55	44	80.0	2	3.6	9	16.4
Ohio.....	867	668	77.0	82	9.5	117	13.5
Oregon.....	139	113	81.3	1	0.7	25	18.0
Pennsylvania.....	4,950	2,428	49.1	687	13.9	1,835	37.1
Rhode Island.....	29	18	62.1	-	0	11	37.9
South Dakota.....	62	50	80.6	1	1.6	11	17.7
Utah.....	74	37	50.0	4	5.4	33	44.6
Vermont.....	93	82	88.2	1	1.1	10	10.8
Washington.....	241	200	83.0	1	0.4	40	16.6
Wisconsin.....	528	494	93.6	18	3.4	16	3.0
Wyoming.....	72	65	90.3	-	0	7	9.7

¹Statistics are for the year July 1, 1940 through June 30, 1941.

TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1940

State	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per-cent	Number	Per-cent	Number	Per-cent
Total, 26 States.....	¹ 51,192	43,890	85.7	3,202	6.3	4,100	8.0
California.....	4,987	4,242	85.1	340	6.8	405	8.1
Colorado.....	1,054	956	90.7	10	0.9	88	8.3
Connecticut ²	780	721	92.4	42	5.4	17	2.2
District of Columbia.....	1,088	914	84.0	2	0.2	172	15.8
Idaho.....	473	413	87.3	16	3.4	44	9.3
Indiana.....	2,233	1,954	87.5	213	9.5	66	3.0
Iowa.....	1,697	1,627	95.9	19	1.1	51	3.0
Kansas.....	1,130	1,007	89.1	19	1.7	104	9.2
Massachusetts.....	2,647	2,270	85.8	132	5.0	245	9.3
Michigan.....	2,186	1,932	88.4	154	7.0	100	4.6
Minnesota.....	1,807	1,741	96.3	3	0.2	63	3.5
Montana.....	453	390	86.1	21	4.6	42	9.3
New Hampshire.....	381	368	96.6	1	0.3	12	3.1
New Jersey.....	5,519	4,648	84.2	593	10.7	278	5.0
New Mexico.....	685	615	89.8	25	3.6	45	6.6
North Dakota.....	426	400	93.9	-	0	26	6.1
Ohio.....	4,453	3,959	88.9	223	5.0	271	6.1
Oregon.....	976	904	92.6	7	0.7	65	6.7
Pennsylvania.....	12,328	9,463	76.8	1,131	9.2	1,734	14.1
Rhode Island.....	571	565	98.9	-	0	6	1.1
South Dakota.....	416	387	93.0	17	4.1	12	2.9
Utah.....	320	251	78.4	7	2.2	62	19.4
Vermont.....	325	314	96.6	2	0.6	9	2.8
Washington.....	1,343	1,234	91.9	2	0.1	107	8.0
Wisconsin.....	2,664	2,378	89.3	217	8.1	69	2.6
Wyoming.....	250	237	94.8	6	2.4	7	2.8

¹Excludes the 7,834 defendants convicted in New York State.²Statistics for the year July 1, 1940 through June 30, 1941.

States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Montana, 77.5 percent of the defendants sentenced for major offenses received a prison sentence, while Pennsylvania, at the other end of the scale, showed only 13.1 percent of those convicted as sentenced to prison or death. For the 27 States, the median proportion of convicted defendants receiving a prison or death sentence is 47.8 percent. Probation was used most extensively in Rhode Island, where 74.1 percent were reported as being placed on probation or given a suspended sentence. This is not surprising since Rhode Island law permits defendants to waive indictment by the grand jury and plead nolo contendere. Such defendants very frequently receive a deferred sentence. Probation was used next most extensively in New Hampshire where 53.0 percent of convicted defendants received such treatment. North Dakota reported the

least use of this type of sentence with 11.7 percent, while the median percentage of the 27 States is 32.1. Pennsylvania reported the highest proportion of jail sentences, and Wyoming reported the lowest. The median percentage of defendants sentenced to jail is 13.5.

Disposition and sentence, by offense.—In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense, for the 27 States combined, it must be remembered that a few States account for most of the cases reported and that the practices followed in those States in regard to both disposition and sentence influence dominantly the results shown in these tables. Five States, Pennsylvania, New York, New Jersey, California, and Ohio, account for about 3/5 (61.2 percent) of the cases covered, while the other 22 States account for the remainder.

Table 5 shows the number of defendants

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1940

State	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Total, 27 States..	59,026	22,084	37.4	19,847	33.6	12,952	21.9	4,143	7.0
California.....	4,987	1,524	30.6	1,689	33.9	1,607	32.2	167	3.3
Colorado.....	1,054	628	59.6	371	35.2	39	3.7	16	1.5
Connecticut ^a	780	230	29.5	250	32.1	265	34.0	35	4.5
District of Columbia...	1,088	680	62.5	297	27.3	108	9.9	3	0.3
Idaho.....	473	246	52.0	132	27.9	83	17.5	12	2.5
Indiana.....	2,233	1,180	52.8	689	30.9	220	9.9	144	6.4
Iowa.....	1,697	698	41.1	303	17.9	585	34.5	111	6.5
Kansas.....	1,130	805	71.2	211	18.7	105	9.3	9	0.8
Massachusetts.....	2,647	³ 1,429	54.0	735	27.8	...	...	483	18.2
Michigan.....	2,186	933	42.7	1,098	50.2	105	4.8	50	2.3
Minnesota.....	1,807	788	43.6	719	39.8	240	13.3	60	3.3
Montana.....	453	351	77.5	62	13.7	24	5.3	16	3.5
New Hampshire.....	381	104	27.3	202	53.0	66	17.3	9	2.4
New Jersey.....	5,519	1,960	35.5	2,098	38.0	1,053	19.1	408	7.4
New Mexico.....	685	360	52.6	237	34.6	47	6.9	41	6.0
New York.....	7,834	3,227	41.2	2,845	36.3	1,719	21.9	43	0.5
North Dakota.....	426	262	61.5	50	11.7	77	18.1	37	8.7
Ohio.....	4,453	2,090	46.9	1,880	42.2	295	6.6	188	4.2
Oregon.....	976	504	51.6	326	33.4	132	13.5	14	1.4
Pennsylvania.....	12,328	1,619	13.1	3,411	27.7	5,442	44.1	1,856	15.1
Rhode Island.....	571	116	20.3	423	74.1	27	4.7	5	0.9
South Dakota.....	416	246	59.1	95	22.8	60	14.4	15	3.6
Utah.....	320	153	47.8	122	38.1	33	10.3	12	3.8
Vermont.....	325	117	36.0	91	28.0	66	20.3	51	15.7
Washington.....	1,343	770	57.3	381	28.4	182	13.6	10	0.7
Wisconsin.....	2,664	917	34.4	1,052	39.5	364	13.7	331	12.4
Wyoming.....	250	147	58.8	78	31.2	8	3.2	17	6.8

¹Includes 63 death sentences.²Statistics are for the year July 1, 1940 through June 30, 1941.³Includes defendants sentenced to local jails, workhouses, etc.

disposed of in the 27 States and those eliminated and convicted in each offense group. Burglary, auto theft, violating drug laws, forgery and counterfeiting, and larceny, except auto theft, show, in that order, the highest proportions of convictions, while manslaughter and aggravated assault show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 27 States for each of the three types of elimination. Defendants charged with forgery and counterfeiting show the highest proportion of eliminations by dismissal and lowest proportion of acquittals by jury. Defendants charged with manslaughter show the lowest proportion of eliminations by dismissals, but those charged with murder show the highest proportion of acquittals

by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in 26 States by type of conviction. Forgery and counterfeiting, auto theft, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty; and murder, assault, and manslaughter are those showing the lowest. Murder and manslaughter, however, show the highest proportions of convictions by jury verdict.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 27 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sentence. Of the 483 defendants shown in the table as

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TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED,
BY OFFENSE: 1940

Offense	Total disposed of	Eliminated with- out conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	76,543	17,517	22.9	59,026	77.1
Murder.....	828	311	37.6	517	62.4
Manslaughter.....	1,525	651	42.7	874	57.3
Robbery.....	5,532	1,429	25.8	4,103	74.2
Aggravated assault.....	5,556	2,127	38.3	3,429	61.7
Burglary.....	15,866	2,141	13.5	13,725	86.5
Larceny, except auto theft.....	¹ 15,574	2,805	18.0	12,769	82.0
Auto theft.....	5,460	815	14.9	4,645	85.1
Embezzlement and fraud.....	5,394	1,895	35.1	3,499	64.9
Stolen property, receiving, etc.....	1,769	605	34.2	1,164	65.8
Forgery and counterfeiting.....	5,271	835	15.8	4,436	84.2
Rape.....	3,087	1,056	34.2	2,031	65.8
Commercialized vice.....	1,034	282	27.3	752	72.7
Other sex offenses.....	4,938	1,305	26.4	3,633	73.6
Violating drug laws.....	660	102	15.5	558	84.5
Carrying, etc., weapons.....	1,753	422	24.1	1,331	75.9
Other major offenses.....	2,296	736	32.1	1,560	67.9

¹Includes embezzlement and fraud in Massachusetts.TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION,
BY OFFENSE: 1940

Offense	Total elim- inated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Per- cent	Number	Per- cent	Number	Per- cent
Total.....	17,517	12,243	69.9	1,642	9.4	3,632	20.7
Murder.....	311	163	52.4	13	4.2	135	43.4
Manslaughter.....	651	334	51.3	69	10.6	248	38.1
Robbery.....	1,429	892	62.4	140	9.8	397	27.8
Aggravated assault.....	2,127	1,187	55.8	314	14.8	626	29.4
Burglary.....	2,141	1,587	74.1	163	7.6	391	18.3
Larceny, except auto theft.....	¹ 2,805	2,076	74.0	246	8.8	483	17.2
Auto theft.....	815	627	76.9	73	9.0	115	14.1
Embezzlement and fraud.....	1,895	1,529	80.7	133	7.0	233	12.3
Stolen property, receiving, etc.....	605	379	62.6	83	13.7	143	23.6
Forgery and counterfeiting.....	835	742	88.9	37	4.4	56	6.7
Rape.....	1,056	727	68.8	73	6.9	256	24.2
Commercialized vice.....	282	164	58.2	58	20.6	60	21.3
Other sex offenses.....	1,305	930	71.3	128	9.8	247	18.9
Violating drug laws.....	102	77	75.5	10	9.8	15	14.7
Carrying, etc., weapons.....	422	264	62.6	72	17.1	86	20.4
Other major offenses.....	736	565	76.8	30	4.1	141	19.2

¹Includes embezzlement and fraud in Massachusetts.

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1940

Offense	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total.....	¹ 51,192	43,890	85.7	3,202	6.3	4,100	8.0
Murder.....	432	211	48.8	25	5.8	196	45.4
Manslaughter.....	725	488	67.3	48	6.6	189	26.1
Robbery.....	3,403	2,660	78.2	167	4.9	576	16.9
Aggravated assault.....	2,945	1,974	67.0	473	16.1	498	16.9
Burglary.....	11,842	10,759	90.9	501	4.2	582	4.9
Larceny, except auto theft.....	² 10,475	9,347	89.2	598	5.7	530	5.1
Auto theft.....	3,980	3,657	91.9	172	4.3	151	3.8
Embezzlement and fraud.....	3,489	3,101	88.9	226	6.5	162	4.6
Stolen property, receiving, etc.....	1,050	863	82.2	68	6.5	119	11.3
Forgery and counterfeiting.....	4,070	3,892	95.6	72	1.8	106	2.6
Rape.....	1,788	1,338	74.8	161	9.0	289	16.2
Commercialized vice.....	740	519	70.1	143	19.3	78	10.5
Other sex offenses.....	3,446	2,753	79.9	330	9.6	363	10.5
Violating drug laws.....	505	411	81.4	30	5.9	64	12.7
Carrying, etc., weapons.....	1,038	852	82.1	107	10.3	79	7.6
Other major offenses.....	1,264	1,065	84.3	81	6.4	118	9.3

¹Excludes 7,834 defendants convicted in New York State.²Includes embezzlement and fraud in Massachusetts.

receiving death or prison sentences for murder, 62 were given the death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of embezzlement and fraud, auto theft, and receiving stolen property. The offense groups showing the highest proportions of defendants given jail sentences were violating drug laws, and carrying, etc., weapons.

As already pointed out, all reports received in the Census Bureau's collection of judicial criminal statistics are made voluntarily, and in some of the 22 States reporting by the tally-sheet method reports were not received from all clerks of court. Table 9 shows, by States, the total number of counties and the number of courts, by type, that furnished statistics for 1940 and the percentage of the population in each State that resides within the jurisdiction

of the reporting courts, as based on the 1940 Census.

Table 10 presents the number of defendants convicted of all offenses who were reported as sentenced to adult State prisons and reformatories as compared with the total number admitted to adult State prisons and reformatories from the courts.¹ As might be expected, court sentence and prison-reformatory admission figures are not identical. For 14 States more persons are reported admitted to prisons and reformatories than are reported as sentenced, whereas in 13 States the converse is true.

In only 3 States (the District of Columbia, Minnesota, and Ohio) is there a rigid check on the accuracy of court statistics. Elsewhere errors are possible through omissions, repetition, and misclassification of offense or disposition. Discrepancies

¹"Prisoners in State and Federal prisons and reformatories: 1940. Movement of population." Census Bureau, Washington, D.C., 1942.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1940

Offense	Defend- ants sen- tenced	State pris- ons and re- formatories		Probation and sus- pended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent
Total.....	59,026	¹ 22,084	37.4	19,847	33.6	12,952	21.9	4,143	7.0
Murder.....	517	² 483	93.4	5	1.0	26	5.0	3	0.6
Manslaughter.....	874	429	49.1	217	24.8	183	20.9	45	5.1
Robbery.....	4,103	2,918	71.1	566	13.8	515	12.6	104	2.5
Aggravated assault.....	3,429	1,021	29.8	994	29.0	1,066	31.1	348	10.1
Burglary.....	13,725	5,756	41.9	4,910	35.8	2,580	18.8	479	3.5
Larceny, except auto theft.....	³ 12,769	3,604	28.2	4,837	37.9	3,415	26.7	913	7.2
Auto theft.....	4,645	1,638	35.3	1,979	42.6	836	18.0	192	4.1
Embezzlement and fraud..	3,499	775	22.1	1,545	44.2	841	24.0	338	9.7
Stolen property, receiving, etc.....	1,164	227	19.5	480	41.2	304	26.1	153	13.1
Forgery and counter- feiting.....	4,436	1,952	44.0	1,571	35.4	781	17.6	132	3.0
Rape.....	2,031	983	48.4	584	28.8	376	18.5	88	4.3
Commercialized vice.....	752	112	14.9	157	20.9	219	29.1	264	35.1
Other sex offenses.....	3,633	954	26.3	1,085	29.9	817	22.5	777	21.4
Violating drug laws.....	558	168	30.1	88	15.8	269	48.2	33	5.9
Carrying, etc., weapons.	1,331	260	19.5	428	32.2	508	38.2	135	10.1
Other major offenses....	1,560	⁴ 804	51.5	401	25.7	216	13.8	139	8.9

¹Includes defendants sentenced to local jails, workhouses, etc., in Massachusetts.²Includes 62 deaths.³Includes embezzlement and fraud in Massachusetts.⁴Includes 1 death for kidnaping.

other than simple mistakes between judicial and prison reports fall into two groups. The first may be called minor and normal. These would include discrepancies induced by time lag between sentence and receipt at prison, granting of stay of execution or appeal after sentence, death or hospitalization of sentenced defendants, commitment to prison as probation violators of persons given probation, and incomplete judicial reporting. The major discrepancies appear in those jurisdictions in which the reporting courts try considerable numbers of defendants who are not imprisoned in reporting institutions if sentenced or where appreciable numbers of prisoners admitted were sentenced by courts having primarily or exclusively misdemeanor jurisdiction.

The prison reports indicate that Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, and Wisconsin prisons receive appre-

ciable numbers of misdemeanor prisoners. Many of these are committed by minor courts not covered in Judicial Criminal reports. In addition, the Ohio Reformatory received 89 prisoners on commitments from juvenile courts. On the other hand, Massachusetts and Indiana put some prisoners in penal farms not included in prison reports and the District of Columbia has some prisoners incarcerated in various Federal penitentiaries. Comparisons for California, Michigan, and Vermont are invalidated by incomplete coverage. Probation violations are an important factor in the discrepancies in the States of Minnesota, Ohio, Pennsylvania, and New York.

SUMMARY AND CONCLUSION

The 1940 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal

TABLE 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1940

State	Number of counties in State	Number of reports received from each type of court								Percent of population coverage ¹
		District	Circuit	Superior	Common pleas	Quarter session and oyer and terminer	County	Municipal	Criminal	
California.....	58	...	...	29	...	...	...	...	...	68.5
Colorado.....	63	50	...	...	...	...	...	...	...	99.2
Connecticut.....	8	...	...	9	5	...	...	...	...	100.0
Dist. of Columbia..	1	1	...	...	...	...	...	...	...	100.0
Idaho.....	44	44	...	...	...	...	...	...	...	100.0
Indiana.....	92	...	68	3	...	...	...	...	2	71.3
Iowa.....	99	100	...	...	...	...	...	...	...	100.0
Kansas.....	105	109	...	...	...	...	...	...	...	100.0
Massachusetts.....	14	...	...	14	...	...	...	...	...	100.0
Michigan.....	83	...	---	---	...	...	...	---	...	---
Minnesota.....	87	87	...	...	...	...	...	...	...	100.0
Montana.....	56	56	...	...	...	...	...	...	...	100.0
New Hampshire.....	10	...	...	10	...	...	...	...	...	100.0
New Jersey.....	21	...	...	...	...	20	...	...	...	98.3
New Mexico.....	31	31	...	...	...	...	...	...	...	100.0
New York.....	62	...	...	...	...	...	62	...	...	100.0
North Dakota.....	53	45	...	...	...	...	...	...	...	89.0
Ohio.....	88	...	...	...	88	...	...	...	...	100.0
Oregon.....	36	...	36	...	...	...	...	...	...	100.0
Pennsylvania.....	67	...	...	...	...	66	...	...	...	99.8
Rhode Island.....	5	...	...	4	...	...	...	...	...	100.0
South Dakota.....	69	...	64	...	...	...	...	...	...	100.0
Utah.....	29	28	...	...	...	...	...	...	...	97.1
Vermont.....	14	...	...	...	...	...	11	8	...	---
Washington.....	39	...	...	39	...	...	...	...	...	100.0
Wisconsin.....	71	...	64	2	...	...	19	12	...	---
Wyoming.....	23	23	...	...	...	...	...	...	...	100.0

¹Percent of the population of the State residing within the jurisdictional limits of reporting courts as based on the 1940 Census. Percent of coverage could not be computed for States in which some courts having concurrent jurisdiction within certain counties did not report.

offenders in courts of general jurisdiction as were found in the analysis of the 1935, 1936, 1937, 1938, and 1939 data. As in 1939, the 1940 report is presented chiefly as a brief summary of the statistical data collected from the cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well as for detailed analysis of the data collected.

It is again emphasized that comparisons between States should be made only with extreme caution and that probably no general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary which shows, for defendants

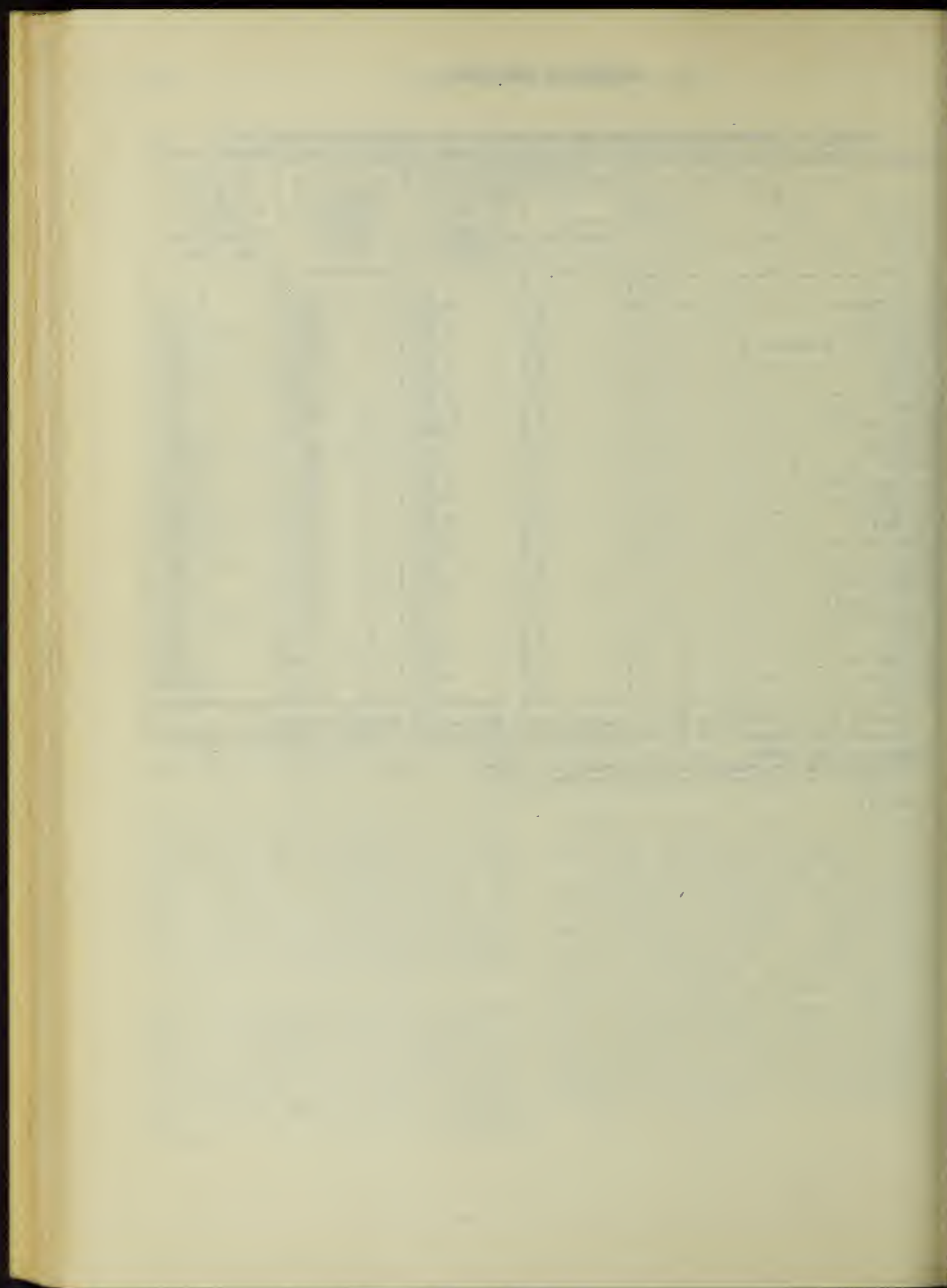
charged with major offenses, the distribution of sentences and dispositions for the years 1937, 1938, 1939, and 1940.

Again in 1940, as in the past years, these statistics indicate that from 70 to 80 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction were convicted. About seven-tenths of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for between 80 and 90 percent of all convictions. Slightly over one-sixth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, slightly more than one-third received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

TABLE 10.—COMPARISON OF COURT AND PRISON DATA FOR REPORTING STATES: 1940

State	Court sentences ¹		Percent of population covered by court reports ²	Admissions to State prisons and reformatories from the courts
	Death penalty	Sentenced to State prisons and reformatories		
California.....	10	1,542	68.5	2,154
Colorado.....	1	646	99.2	691
Connecticut ³	-	255	100.0	541
District of Columbia.....	1	699	100.0	668
Idaho.....	1	258	100.0	231
Indiana.....	1	1,406	71.3	1,362
Iowa.....	1	792	100.0	753
Kansas.....	-	846	100.0	780
Massachusetts.....	1	⁴ 1,595	100.0	915
Michigan.....	-	1,038	---	2,395
Minnesota.....	-	813	100.0	887
Montana.....	-	358	100.0	305
New Hampshire.....	-	105	100.0	100
New Jersey.....	-	2,064	98.3	1,574
New Mexico.....	-	375	100.0	331
New York.....	24	3,263	100.0	3,633
North Dakota.....	-	277	89.0	263
Ohio.....	7	2,147	100.0	2,532
Oregon.....	2	517	100.0	530
Pennsylvania.....	7	1,670	99.8	2,358
Rhode Island.....	-	117	100.0	393
South Dakota.....	-	254	100.0	243
Utah.....	2	157	97.1	164
Vermont.....	1	136	---	222
Washington.....	4	778	100.0	742
Wisconsin.....	-	1,011	---	4,906
Wyoming.....	-	156	100.0	173

¹Includes all offenses rather than the "major offense" group used in tables 1 through 9.²Percent of the population of the State residing within jurisdictional limits of reporting courts, as based on the 1940 census.³Statistics for the year July 1, 1940 through June 30, 1941.⁴Includes those sentenced to local jails, workhouses, etc.



U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
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October 27, 1941

JUDICIAL CRIMINAL STATISTICS: CALIFORNIA, 1940

The Bureau of the Census received reports on 5,873 defendants charged with major offenses who were disposed of in the superior courts in 25 of the 58 counties of California during the calendar year 1940. The publication of these statistics for 1940 has been made possible by the District Attorneys of California who prepared the reports or secured the

cooperation of the court clerks.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years for which these statistics are available. In 1940 approximately 8 out of 10 (80.1 percent) of the total of 5,873 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1938 ¹		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,873	100.0	3,586	100.0	4,330	100.0	3,785	100.0
Eliminated without conviction....	1,168	19.9	619	17.3	745	17.2	774	20.4
Dismissed.....	594	10.1	342	9.5	402	9.3	464	12.3
Acquitted by court(jury waived)	240	4.1	96	2.7	70	1.6	31	0.8
Acquitted by jury.....	196	3.3	129	3.6	209	4.8	172	4.5
Other no-penalty disposition...	138	2.3	52	1.5	64	1.5	107	2.8
Convicted.....	4,705	80.1	2,967	82.7	3,585	82.8	3,011	79.6
Plea of guilty.....	3,985	67.9	2,451	68.3	3,039	70.2	2,492	65.8
Court finds guilty(jury waived)	330	5.6	195	5.4	199	4.6	147	3.9
Jury verdict guilty.....	390	6.6	321	9.0	347	8.0	372	9.8

¹No report was published for 1939.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	7,864	1,565	782	378	240	165	6,299	5,219	630	450
Major offenses, total ¹	5,873	1,168	594	240	196	138	4,705	3,985	330	390
Murder.....	89	37	12	4	9	12	52	19	7	26
Manslaughter.....	158	65	18	20	25	2	93	49	13	31
Robbery.....	625	184	93	46	29	16	441	307	34	100
Aggravated assault.....	317	97	43	26	23	5	220	152	29	39
Burglary.....	1,222	182	101	30	23	28	1,040	922	67	51
Larceny, except auto theft....	582	108	64	13	19	12	474	392	49	33
Auto theft.....	692	93	44	24	12	13	599	546	40	13
Embezzlement and fraud.....	331	44	34	5	2	3	287	275	8	4
Stolen property, receiving, etc.	131	22	10	11	1	-	109	95	5	9
Forgery and counterfeiting....	739	61	35	9	6	11	678	657	7	14
Rape.....	229	88	48	17	16	7	141	109	11	21
Commercialized vice.....	23	7	5	2	-	-	16	7	6	3
Other sex offenses.....	260	84	35	17	12	20	176	132	30	14
Violating drug laws.....	205	36	20	8	7	1	169	140	14	15
Carrying, etc., weapons.....	86	16	9	4	2	1	70	64	4	2
Other major offenses.....	184	44	23	4	10	7	140	119	6	15
Abortion.....	5	3	-	-	3	-	2	-	-	2
Arson.....	30	12	4	1	4	3	18	15	1	2
Bigamy.....	19	2	2	-	-	-	17	14	2	1
Blackmail and extortion.....	3	2	2	-	-	-	1	1	-	-
Escape and jail break.....	91	12	8	1	-	3	79	74	3	2
Kidnaping.....	20	7	4	1	1	1	13	8	-	5
Perjury.....	16	6	3	1	2	-	10	7	-	3
Other offenses: ²										
Minor assault.....	148	4	3	-	1	-	144	128	13	3
Nonsupport or neglect.....	175	62	51	3	2	6	113	105	5	3
Violating liquor laws.....	26	4	1	1	1	1	22	21	1	-
Driving while intoxicated.....	298	50	18	22	9	1	248	212	24	12
Other motor-vehicle laws.....	278	59	30	13	10	6	219	177	25	17
Disorderly conduct and vagrancy	88	8	5	1	-	2	80	78	1	1
Gambling.....	598	117	23	91	2	1	481	271	206	4
All other offenses.....	380	93	57	7	19	10	287	242	25	20

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 88.9 percent of the population in 1936, 51.8 percent in 1937, 39.3 percent in 1938, and 64.5 percent in 1940.

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positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1938 ¹		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	4,705	100.0	2,967	100.0	3,585	100.0	2,946	100.0
Death penalty.....	10	0.2	7	0.2	13	0.4	11	0.4
State prisons or reformatories...	1,407	29.9	947	31.9	1,079	30.1	953	32.3
Probation or suspended sentence..	1,600	34.0	722	24.3	1,008	28.1	733	24.9
Local jails, workhouses, etc.....	1,526	32.4	1,206	40.6	1,370	38.2	1,139	38.7
Fine or costs only.....	43	0.9	21	0.7	24	0.7	20	0.7
Institutions for juveniles.....	115	2.4	64	2.2	91	2.5	90	3.1
Other sentences.....	4	0.1	-	-	-	-	-	-

¹No report was published for 1939.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	6,299	10	1,432	2,202	1,985	545	120	5
Major offenses, total ¹	4,705	10	1,407	1,600	1,526	43	115	4
Murder.....	52	10	40	1	1	-	-	-
Manlaughter.....	93	-	33	45	14	-	1	-
Robbery.....	441	-	318	77	20	-	25	1
Aggravated assault.....	220	-	52	13	144	10	1	-
Burglary.....	1,040	-	293	396	317	-	32	2
Larceny, except auto theft.....	474	-	105	139	217	7	6	-
Auto theft.....	599	-	116	256	186	3	38	-
Embezzlement and fraud.....	287	-	54	131	101	-	-	1
Stolen property, receiving, etc..	109	-	16	53	34	2	4	-
Forgery and counterfeiting.....	678	-	183	282	209	-	4	-
Rape.....	141	-	21	75	45	-	-	-
Commercialized vice.....	16	-	4	10	2	-	-	-
Other sex offenses.....	176	-	50	76	49	-	1	-
Violating drug laws.....	169	-	44	2	121	1	1	-
Carrying, etc., weapons.....	70	-	12	1	54	3	-	-
Other major offenses.....	140	-	66	43	12	17	2	-
Abortion.....	2	-	1	1	-	-	-	-
Arson.....	18	-	3	11	1	2	1	-
Bigamy.....	17	-	4	12	1	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	79	-	46	8	9	15	1	-
Kidnaping.....	13	-	10	3	-	-	-	-
Perjury.....	10	-	1	8	1	-	-	-
Other offenses: ²								
Minor assault.....	144	-	-	32	91	21	-	-
Nonsupport or neglect.....	113	-	-	93	20	-	-	-
Violating liquor laws.....	22	-	1	3	3	15	-	-
Driving while intoxicated.....	248	-	1	129	86	32	-	-
Other motor-vehicle laws.....	219	-	7	130	58	23	1	-
Disorderly conduct and vagrancy..	80	-	-	4	43	33	-	-
Gambling.....	481	-	1	97	48	335	-	-
All other offenses.....	287	-	15	114	110	43	4	1

See footnotes 1 and 2 on first page.

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JUDICIAL CRIMINAL STATISTICS: COLORADO, 1940

The Bureau of the Census received from the clerks of court reports on 1,327 defendants charged with major offenses who were disposed of in the district courts of 59 of the 63 counties of Colorado during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (79.4 percent) of the total of 1,327 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,327	100.0	1,528	100.0	1,546	100.0	1,567	100.0
Eliminated without conviction....	273	20.6	334	21.9	273	17.7	388	24.8
Dismissed.....	202	15.2	243	15.9	168	10.9	266	17.0
Acquitted by court(jury waived)	5	0.4	1	0.1	5	0.3	4	0.3
Acquitted by jury.....	49	3.7	78	5.1	74	4.8	93	5.9
Other no-penalty disposition....	17	1.3	12	0.8	26	1.7	25	1.6
Convicted.....	1,054	79.4	1,194	78.1	1,273	82.3	1,179	75.2
Plea of guilty.....	956	72.0	1,065	69.7	1,093	70.7	1,006	64.2
Court finds guilty(jury waived)	10	0.8	9	0.6	32	2.1	5	0.3
Jury verdict guilty.....	88	6.6	120	7.9	148	9.6	168	10.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,532	353	274	9	52	18	1,179	1,064	13	102
Major offenses, total ¹	1,327	273	202	5	49	17	1,054	956	10	88
Murder.....	32	19	3	1	15	-	13	2	-	11
Manslaughter.....	32	7	3	-	4	-	25	17	-	8
Robbery.....	88	9	4	2	3	-	79	72	3	4
Aggravated assault.....	41	18	17	-	-	1	23	15	3	5
Burglary.....	294	44	39	-	3	2	250	240	1	9
Larceny, except auto theft....	332	67	51	2	10	4	265	242	3	20
Auto theft.....	71	11	10	-	-	1	60	59	-	1
Embezzlement and fraud.....	187	41	34	-	6	1	146	126	-	20
Stolen property, receiving, etc.	29	5	5	-	-	-	24	24	-	-
Forgery and counterfeiting....	90	7	5	-	-	2	83	83	-	-
Rape.....	76	28	21	-	4	3	48	43	-	5
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	38	10	5	-	3	2	28	25	-	3
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-
Other major offenses.....	16	7	5	-	1	1	9	7	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	4	2	2	-	-	-	2	2	-	-
Bigamy.....	5	1	-	-	1	-	5	3	-	2
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	1	1	1	-	-	-	-	-	-	-
Kidnaping.....	2	2	1	-	-	1	-	-	-	-
Perjury.....	2	1	1	-	-	-	1	1	-	-
Other offenses: ²										
Minor assault.....	15	5	5	-	-	-	10	3	1	6
Nonsupport or neglect.....	60	25	20	3	2	-	35	31	1	3
Violating liquor laws.....	28	13	13	-	-	-	15	13	-	2
Driving while intoxicated.....	12	5	4	-	1	-	7	6	-	1
Other motor-vehicle laws.....	5	1	1	-	-	-	4	3	-	1
Disorderly conduct and vagrancy	4	1	-	-	-	1	3	3	-	-
Gambling.....	14	5	4	1	-	-	9	9	-	-
All other offenses.....	67	25	25	-	-	-	42	40	1	1

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 98.5 percent of the population in 1937, 99.8 percent in 1938 and 1939, and 99.2 percent in 1940.

(OVER)

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,054	100.0	1,194	100.0	1,273	100.0	1,179	100.0
Death penalty.....	1	0.1	5	0.4	4	0.3	3	0.3
State prisons or reformatories...	627	59.5	772	64.7	841	66.1	838	71.1
Probation or suspended sentence..	371	35.2	348	29.1	321	25.2	249	21.1
Local jails, workhouses, etc.....	39	3.7	51	4.3	63	4.9	73	6.2
Fine or costs only.....	12	1.1	15	1.3	34	2.7	11	0.9
Institutions for juveniles.....	4	0.4	3	0.3	10	0.8	5	0.4
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE:
COLORADO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,179	1	646	429	74	24	5	-
Major offenses, total ¹	1,054	1	627	371	39	12	4	-
Murder.....	13	1	12	-	-	-	-	-
Manslaughter.....	25	-	8	10	7	-	-	-
Robbery.....	79	-	64	15	-	-	-	-
Aggravated assault.....	23	-	10	7	6	-	-	-
Burglary.....	250	-	133	114	2	-	1	-
Larceny, except auto theft.....	265	-	147	94	16	5	3	-
Auto theft.....	60	-	37	23	-	-	-	-
Embezzlement and fraud.....	146	-	97	44	4	1	-	-
Stolen property, receiving, etc..	24	-	10	10	2	2	-	-
Forgery and counterfeiting.....	83	-	56	23	1	3	-	-
Rape.....	48	-	28	19	1	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	28	-	18	9	-	1	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	1	-	-	-	-	-
Other major offenses.....	9	-	6	3	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	-	2	-	-	-	-
Bigamy.....	5	-	4	1	-	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses: ²								
Minor assault.....	10	-	-	1	9	-	-	-
Nonsupport or neglect.....	35	-	2	32	-	1	-	-
Violating liquor laws.....	15	-	-	5	9	1	-	-
Driving while intoxicated.....	7	-	1	5	1	-	-	-
Other motor-vehicle laws.....	4	-	-	1	2	-	1	-
Disorderly conduct and vagrancy..	3	-	1	1	1	-	-	-
Gambling.....	9	-	2	3	-	4	-	-
All other offenses.....	42	-	13	10	13	6	-	-

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: CONNECTICUT, 1940-1941*

The Bureau of the Census received from the clerks of court reports on 901 defendants charged with major offenses who were disposed of in the superior and common pleas courts of the 8 counties of Connecticut during the fiscal year ended June 30, 1941.

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of every 10 (86.6 percent) of the total of 901 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups..

Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940-1941*		1939-1940*		1938-1939*		1937-1938*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	901	100.0	954	100.0	1,029	100.0	1,168	100.0
Eliminated without conviction....	121	13.4	111	11.6	156	15.2	178	15.2
Dismissed.....	90	10.1	91	9.5	140	13.6	154	13.2
Acquitted by court(jury waived)	12	1.3	11	1.2	12	1.2	14	1.2
Acquitted by jury.....	4	0.4	5	0.5	1	0.1	2	0.2
Other no-penalty disposition...	15	1.7	4	0.4	3	0.3	8	0.7
Convicted.....	780	86.6	843	88.4	873	84.8	990	84.8
Plea of guilty.....	721	80.0	755	79.1	821	79.8	898	76.9
Court finds guilty(jury waived)	42	4.7	54	5.7	36	3.5	66	5.7
Jury verdict guilty.....	17	1.9	34	3.6	16	1.6	26	2.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1940-1941*

Offense	Total de-fend-ants dis-posed of	Disposed of without conviction					Convicted			
		Total	Dis-missed	Acquit-ted by court (jury waived)	Ac-quit-ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver-dict guilty
All offenses.....	1,602	372	292	48	11	21	1,230	1,036	149	45
Major offenses, total ¹	901	121	90	12	4	15	780	721	42	17
Murder.....	9	1	-	-	-	1	8	5	1	2
Manslaughter.....	45	17	13	3	-	1	28	25	1	2
Robbery.....	66	8	6	-	1	1	58	51	4	3
Aggravated assault.....	25	4	3	-	-	1	21	15	5	1
Burglary.....	189	17	8	4	-	5	172	167	3	2
Larceny, except auto theft....	86	12	8	3	-	1	74	67	5	2
Auto theft.....	82	4	4	-	-	-	78	76	2	-
Embezzlement and fraud.....	68	8	6	-	1	1	60	57	3	-
Stolen property, receiving, etc.	12	2	2	-	-	-	10	8	2	-
Forgery and counterfeiting....	23	2	1	-	-	1	21	20	-	1
Rape.....	83	19	16	1	1	1	64	56	8	-
Commercialized vice.....	9	1	1	-	-	-	8	4	3	1
Other sex offenses.....	147	14	12	1	-	1	133	131	2	-
Violating drug laws.....	6	-	-	-	-	-	6	6	-	-
Carrying, etc., weapons.....	9	1	1	-	-	-	8	8	-	-
Other major offenses.....	42	11	9	-	1	1	31	25	3	3
Abortion.....	9	5	5	-	-	-	4	3	1	-
Arson.....	13	3	2	-	-	1	10	6	1	3
Bigamy.....	8	2	-	-	-	-	6	6	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	7	-	-	-	-	-	7	6	1	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	3	1	-	-	1	-	2	2	-	-
Other offenses: ²										
Minor assault.....	65	19	12	4	1	2	46	20	25	1
Nonsupport or neglect.....	42	23	22	1	-	-	19	9	8	2
Violating liquor laws.....	28	5	2	2	1	-	23	11	9	3
Driving while intoxicated.....	47	11	6	3	1	1	36	21	11	4
Other motor-vehicle laws.....	166	78	55	17	4	2	88	68	17	3
Disorderly conduct and vagrancy	65	25	22	2	-	1	40	29	9	2
Gambling.....	69	17	16	1	-	-	52	46	6	-
All other offenses.....	219	73	67	6	-	-	146	111	22	13

*Statistics are for the year July 1 through June 30.

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940-1941*		1939-1940*		1938-1939*		1937-1938*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	780	100.0	843	100.0	873	100.0	990	100.0
Death penalty.....	-	-	-	-	2	0.2	-	-
State prisons or reformatories...	230	29.5	313	37.1	255	29.2	324	32.7
Probation or suspended sentence..	250	32.1	233	27.6	297	34.0	314	31.7
Local jails, workhouses, etc.....	265	34.0	271	32.1	304	34.8	322	32.5
Fine or costs only.....	26	3.3	26	3.1	15	1.7	29	2.9
Institutions for juveniles.....	9	1.2	-	-	-	-	1	0.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1940-1941*

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,230	-	255	331	381	251	12	-
Major offenses, total ¹	780	-	230	250	265	26	9	-
Murder.....	8	-	8	-	-	-	-	-
Manslaughter.....	28	-	16	3	6	3	-	-
Robbery.....	58	-	41	11	5	1	-	-
Aggravated assault.....	21	-	4	2	15	-	-	-
Burglary.....	172	-	45	70	57	-	-	-
Larceny, except auto theft.....	74	-	12	21	35	6	-	-
Auto theft.....	78	-	29	25	24	-	-	-
Embezzlement and fraud.....	60	-	12	19	26	3	-	-
Stolen property, receiving, etc..	10	-	-	5	3	2	-	-
Forgery and counterfeiting.....	21	-	5	5	7	4	-	-
Rape.....	64	-	17	25	22	-	-	-
Commercialized vice.....	8	-	3	1	4	-	-	-
Other sex offenses.....	133	-	22	51	46	5	9	-
Violating drug laws.....	6	-	3	2	1	-	-	-
Carrying, etc., weapons.....	8	-	1	1	6	-	-	-
Other major offenses.....	31	-	12	9	8	2	-	-
Abortion.....	4	-	2	-	-	2	-	-
Arson.....	10	-	3	7	-	-	-	-
Bigamy.....	6	-	1	2	3	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	7	-	3	-	4	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	2	-	1	-	1	-	-	-
Other offenses: ²								
Minor assault.....	46	-	1	7	29	9	-	-
Nonsupport or neglect.....	19	-	-	14	1	2	2	-
Violating liquor laws.....	23	-	-	1	3	19	-	-
Driving while intoxicated.....	36	-	-	2	17	17	-	-
Other motor-vehicle laws.....	88	-	3	4	9	72	-	-
Disorderly conduct and vagrancy..	40	-	-	14	13	13	-	-
Gambling.....	52	-	-	9	9	34	-	-
All other offenses.....	146	-	21	30	35	59	1	-

See footnotes on first page.

January 26, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: DISTRICT OF COLUMBIA, 1940

The Bureau of the Census has announced that 1,341 defendants charged with major offenses were disposed of in the District Court of the District of Columbia during the calendar year 1940, according to data obtained from the records of the court. Table 1 shows the disposition of defendants charged with major offenses for each of the last 4

years. In 1940 approximately 8 out of every 10 (81.1 percent) of the total of 1,341 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,341	100.0	1,520	100.0	1,788	100.0	1,720	100.0
Eliminated without conviction....	253	18.9	375	24.7	492	27.5	412	24.0
Dismissed.....	162	12.1	250	16.4	327	18.3	301	17.5
Acquitted by court(jury waived)	35	2.6	3	0.2	7	0.4	-	-
Acquitted by jury.....	52	3.9	107	7.0	154	8.6	105	6.1
Other no-penalty disposition...	4	0.3	15	1.0	4	0.2	6	0.3
Convicted.....	1,088	81.1	1,145	75.3	1,296	72.5	1,308	76.0
Plea of guilty.....	914	68.2	955	62.8	1,069	59.8	1,107	64.4
Court finds guilty(jury waived)	2	0.1	1	0.1	4	0.2	-	-
Jury verdict guilty.....	172	12.8	189	12.4	223	12.5	201	11.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT, BY OFFENSE:
DISTRICT OF COLUMBIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,568	306	205	40	57	4	1,262	1,077	4	181
Major offenses, total ¹	1,341	253	162	35	52	4	1,088	914	2	172
Murder.....	15	6	3	1	1	1	9	5	-	4
Manslaughter.....	21	6	1	1	4	-	15	9	-	6
Robbery.....	209	49	28	7	14	-	160	122	-	38
Aggravated assault.....	139	38	24	5	9	-	101	73	-	28
Burglary.....	339	30	22	4	4	-	309	273	2	34
Larceny, except auto theft....	145	22	13	4	4	1	123	113	-	10
Auto theft.....	173	26	18	5	3	-	147	125	-	22
Embezzlement and fraud.....	65	17	7	3	7	-	48	43	-	2
Stolen property, receiving, etc.	44	18	14	4	-	-	26	23	-	3
Forgery and counterfeiting....	68	9	8	-	1	-	59	56	-	3
Rape.....	28	7	4	-	2	1	21	11	-	10
Commercialized vice.....	10	2	-	1	1	-	8	7	-	1
Other sex offenses.....	2	1	1	-	-	-	1	1	-	-
Violating drug laws.....	72	20	19	-	1	-	52	45	-	7
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	11	2	-	-	1	1	9	5	-	4
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	3	1	-	-	-	1	2	-	-	2
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	5	1	-	-	1	-	4	2	-	2
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	-	-	-	2	2	-	-
Other offenses: ²										
Minor assault.....	40	-	-	-	-	-	40	34	-	6
Nonsupport or neglect.....	12	6	4	1	1	-	6	5	-	1
Violating liquor laws.....	26	9	9	-	-	-	17	15	-	2
Driving while intoxicated.....	1	1	1	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling.....	136	33	25	4	4	-	103	101	2	-
All other offenses.....	11	3	3	-	-	-	8	8	-	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the type of sentence imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,088	100.0	1,145	100.0	1,296	100.0	1,308	100.0
Death penalty.....	1	0.1	1	0.1	1	0.1	4	0.3
Reformatory ¹	679	62.4	697	60.9	776	59.9	713	54.5
Probation or suspended sentence..	297	27.3	338	29.5	349	26.9	451	34.5
Local jails, workhouses, etc.....	108	9.9	104	9.1	167	12.9	135	10.3
Fine or costs only.....	3	0.3	5	0.4	3	0.2	-	-
Institutions for juveniles.....	-	-	-	-	-	-	5	0.4
Other sentences.....	-	-	-	-	-	-	-	-

¹The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT, BY OFFENSE:
DISTRICT OF COLUMBIA, 1940

Offense	Total number of defendants sentenced	Death penalty	Reformatory ³	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,262	1	699	383	168	11	-	-
Major offenses, total ¹	1,088	1	679	297	103	3	-	1
Murder.....	9	1	8	-	-	-	-	-
Manslaughter.....	15	-	13	-	2	-	-	-
Robbery.....	160	-	128	23	9	-	-	-
Aggravated assault.....	101	-	62	31	8	-	-	-
Burglary.....	309	-	225	74	10	-	-	-
Larceny, except auto theft.....	123	-	55	37	31	-	-	-
Auto theft.....	147	-	66	59	21	1	-	-
Embezzlement and fraud.....	48	-	19	21	6	2	-	-
Stolen property, receiving, etc..	26	-	8	13	5	-	-	-
Forgery and counterfeiting.....	59	-	22	27	10	-	-	-
Rape.....	21	-	19	2	-	-	-	-
Commercialized vice.....	8	-	5	3	-	-	-	-
Other sex offenses.....	1	-	1	-	-	-	-	-
Violating drug laws.....	52	-	42	5	5	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	9	-	6	2	1	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	2	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	4	-	4	-	-	-	-	-
Escape and jail break.....	1	-	-	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	2	-	-	-	-
Other offenses: ²								
Minor assault.....	40	-	-	16	22	2	-	-
Nonsupport or neglect.....	6	-	-	4	2	-	-	-
Violating liquor laws.....	17	-	4	2	10	1	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	103	-	13	60	25	5	-	-
All other offenses.....	8	-	3	4	1	-	-	-

See footnotes 1 and 2 on first page.

²The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions.

Table 5 shows the maximum term of sentence given those convicted of a major offense, and indicates further the extent to which probation,

jail, and penitentiary were used to carry out the sentences given.

Table 6 presents the median time interval for

TABLE 5.—MAXIMUM TERM OF SENTENCE AND METHOD OF EXECUTION OF SENTENCE GIVEN DEFENDANTS CONVICTED OF MAJOR OFFENSES, IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1940

Offense	Grand total	Totals			Under 3 months		3-5 months		6-8 months		9-11 months		12 months			13-23 months			
		Jail	Probation	Reformatory ¹	Jail	Probation	Jail	Probation	Jail	Probation	Jail	Probation	Jail	Probation	Reformatory ¹	Probation	Reformatory ¹		
Major offenses, total....	1,085	108	297	679	3	-	18	-	46	9	25	2	16	27	50	33	141		
Murder.....	9	-	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-		
Manslaughter.....	15	2	-	13	1	-	1	-	-	-	-	-	-	-	-	-	1		
Robbery.....	160	9	23	128	-	-	-	-	5	-	-	-	4	1	6	2	17		
Aggravated assault.....	101	8	31	62	-	-	-	-	7	-	-	-	1	-	9	1	19		
Burglary.....	309	10	74	225	-	-	1	-	4	2	5	1	2	20	6	-	41		
Larceny, except auto theft ² ...	123	31	37	55	1	-	6	-	11	3	5	-	8	10	1	-	14		
Auto theft.....	148	21	59	66	-	-	1	-	10	1	9	-	1	6	7	7	15		
Embezzlement and fraud.....	46	6	21	19	1	-	3	-	1	-	-	-	1	4	-	4	6		
Stolen property, receiving, etc.	26	5	13	8	-	-	2	-	1	-	2	-	-	1	-	3	2		
Forgery and counterfeiting....	59	10	27	22	-	-	3	-	2	3	4	1	1	3	4	6	6		
Rape.....	21	-	2	19	-	-	-	-	-	-	-	-	-	-	-	1	1		
Other sex offenses ³	9	-	3	6	-	-	-	-	-	-	-	-	-	-	-	1	3		
Violating drug laws.....	52	5	5	42	-	-	-	-	5	-	-	-	-	-	3	2	16		
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other major offenses.....	9	1	2	6	-	-	1	-	-	-	-	-	-	-	-	-	-		
		2 years		3 years		4 years		5 years		6 years		7 years		8 years		9 years		10 years and over	Life
		Probation	Reformatory ¹	Probation	Reformatory ¹	Probation	Reformatory ¹	Probation	Reformatory ¹	Probation	Reformatory ¹	Reformatory ¹	Reformatory ¹	Reformatory ¹	Reformatory ¹	Reformatory ¹	Reformatory ¹	Death	
Major offenses, total....	82	144	133	187	7	52	-	20	4	35	7	3	11	27	2	2	1		
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	2	1		
Manslaughter.....	-	2	-	1	-	-	-	-	3	-	1	-	3	-	1	-	-		
Robbery.....	8	15	11	42	-	12	-	8	1	9	1	-	4	-	-	-	-		
Aggravated assault.....	10	13	18	7	2	6	-	3	-	4	-	-	-	-	-	-	-		
Burglary.....	19	39	41	77	3	20	-	8	-	13	3	-	-	-	-	-	-		
Larceny, except auto theft ² ...	7	16	15	14	1	4	-	3	1	3	1	-	-	-	2	-	-		
Auto theft.....	17	24	28	18	-	2	-	-	-	-	-	-	-	-	-	-	-		
Embezzlement and fraud.....	7	7	5	6	-	-	-	-	1	-	-	-	-	-	-	-	-		
Stolen property, receiving, etc.	6	2	3	4	-	-	-	-	-	-	-	-	-	-	-	-	-		
Forgery and counterfeiting....	5	5	9	5	-	2	-	-	-	-	-	-	-	-	-	-	-		
Rape.....	1	5	-	3	-	4	-	1	-	1	-	1	1	2	-	-	-		
Other sex offenses ³	-	2	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-		
Violating drug laws.....	2	12	1	8	-	1	-	-	-	-	1	1	-	-	-	-	-		
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other major offenses.....	-	2	-	2	1	-	-	-	1	2	-	-	-	-	-	-	-		

¹The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions. ²Includes 43 convicted of petty larceny. ³Includes commercialized vice.

TABLE 6.—MEDIAN TIME INTERVAL FROM FILING OF INDICTMENT TO FINAL DISPOSITION FOR ALL DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND SENTENCE: DISTRICT OF COLUMBIA, 1940

Method of disposition and sentence	1940		1939		1938	
	Number of defendants	Median time (days)	Number of defendants	Median time (days)	Number of defendants	Median time (days)
All dispositions.....	1,568	24	1,849	31	2,253	45
Eliminations, total.....	306	41	435	51	662	93
Dismissed.....	205	38	305	62	483	126
Acquitted, total.....	97	41	115	25	175	58
By court.....	40	45	3	(¹)	9	(¹)
By jury.....	57	39	112	25	166	58
Other no penalty.....	4	(¹)	15	(¹)	4	(¹)
Convictions, total.....	1,262	22	1,414	27	1,591	37
Plead guilty, total.....	1,077	20	1,180	24	1,333	34
Prison sentence.....	560	17	588	19	620	28
Probation.....	360	23	412	27	426	37
Jail sentence.....	146	27	172	31	277	50
Fine.....	11	(¹)	8	(¹)	10	(¹)
Tried and found guilty, total.....	185	30	234	43	258	52
Death sentence.....	1	(¹)	1	(¹)	1	(¹)
Prison sentence.....	139	29	164	38	181	50
Probation.....	23	33	35	50	34	60
Jail sentence.....	22	25	34	61	42	59
Total trials.....	282	32	349	35	433	54

¹Median not computed where base is less than 20.

TABLE 7.—DISPOSITION OF CHARGES AND TOTAL CONVICTIONS FOR SELECTED MAJOR OFFENSES, BY THE DISTRICT COURT: DISTRICT OF COLUMBIA, 1940

Offense	Charged				Convicted		
	Total	Disposed of without conviction	Convicted as charged	Convicted of a lesser offense	Total	Charged same offense	Charged with more serious offense.
Total.....	976	159	706	111	726	706	20
Murder, first degree.....	18	5	1	12	1	1	-
Murder, second degree.....	6	1	-	5	8	-	8
Manslaughter.....	11	6	4	1	13	4	9
Negligent homicide.....	1	-	1	-	2	1	1
Robbery.....	206	45	135	26	135	135	-
Assault to rob.....	35	4	22	9	22	22	-
Assault with deadly weapon.....	151	36	95	20	96	95	1
Burglary.....	354	30	309	15	309	309	-
Grand larceny.....	119	22	79	18	80	79	1
Forgery.....	72	9	59	4	59	59	-
Sodomy.....	3	1	1	1	1	1	-

the disposition of all defendants charged with criminal offenses for each of the last 3 years by method of disposition and type of sentence. In 1940 the interval was 24 days, which represents a decrease of 46.7 percent since 1938 when the median was 45 days. The median time required for dismissal of a defendant for an offense charged has decreased from 126 in 1938 to 38 in 1940, which is a decrease of 69.8 percent. The median interval for all cases disposed of by trial has decreased from 54 days in 1938 to 35 days in 1939 and 32 days in 1940. The median interval for the disposition of defendants who plead guilty has been shorter than for those found guilty by trial in all 3 years, except for

defendants receiving a jail sentence in 1940. Of the defendants who plead guilty, the time interval has been longer for those sentenced to jail than for those sentenced to prison or placed on probation.

Table 7 presents a comparison between the number of defendants charged with a selected major offense and the number convicted for that offense. Although 18 defendants were charged with first degree murder only 1 was convicted; 5 were released without conviction and 12 convicted for a lesser offense. The offense charges selected for this comparison included only those for which at least one defendant was tried and convicted of a lesser offense than charged.

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: IDAHO, 1940

The Bureau of the Census received from the clerks of court reports on 576 defendants charged with major offenses who were disposed of in the district courts of the 44 counties in Idaho during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (82.1 percent) of the total of 576 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	576	100.0	594	100.0	510	100.0	432	100.0
Eliminated without conviction....	103	17.9	84	14.1	86	16.9	55	12.7
Dismissed.....	83	14.4	61	10.3	65	12.7	36	8.3
Acquitted by court(jury waived)	-	-	-	-	6	1.2	1	0.2
Acquitted by jury.....	16	2.8	16	2.7	13	2.5	15	3.5
Other no-penalty disposition...	4	0.7	7	1.2	2	0.4	3	0.7
Convicted.....	473	82.1	510	85.9	424	83.1	377	87.3
Plea of guilty.....	413	71.7	475	80.0	373	73.1	320	74.1
Court finds guilty(jury waived)	16	2.8	5	0.8	18	3.5	11	2.5
Jury verdict guilty.....	44	7.6	30	5.1	33	6.5	46	10.6

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	685	158	112	11	19	16	527	455	23	49
Major offenses, total ¹	576	103	83	-	16	4	473	413	16	44
Murder.....	9	1	-	-	1	-	8	4	-	4
Manslaughter.....	15	7	1	-	3	3	8	5	-	3
Robbery.....	32	2	2	-	-	-	30	22	4	4
Aggravated assault.....	26	8	6	-	2	-	18	14	1	3
Burglary.....	155	21	18	-	3	-	134	123	3	8
Larceny, except auto theft....	83	10	8	-	2	-	73	65	3	5
Auto theft.....	9	2	2	-	-	-	7	7	-	-
Embezzlement and fraud.....	21	8	7	-	1	-	13	9	-	4
Stolen property, receiving, etc.	9	1	1	-	-	-	8	8	-	-
Forgery and counterfeiting....	154	24	22	-	2	-	130	118	4	8
Rape.....	33	9	8	-	-	1	24	22	-	2
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	9	3	3	-	-	-	6	5	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-
Other major offenses.....	20	7	5	-	2	-	13	10	1	2
Abortion.....	1	1	-	-	1	-	-	-	-	-
Arson.....	6	3	3	-	-	-	3	3	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	3	-	-	-	-	-	3	1	-	2
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	6	3	2	-	1	-	3	2	1	-
Other offenses: ²										
Minor assault.....	9	3	3	-	-	-	6	2	2	2
Nonsupport or neglect.....	9	6	6	-	-	-	3	1	1	1
Violating liquor laws.....	11	4	4	-	-	-	7	6	1	-
Driving while intoxicated.....	15	6	4	-	1	1	9	9	-	-
Other motor-vehicle laws.....	6	2	2	-	-	-	4	4	-	-
Disorderly conduct and vagrancy	12	5	2	-	-	3	7	5	2	-
Gambling.....	-	-	-	-	-	-	-	-	-	-
All other offenses.....	47	29	8	11	2	8	18	15	1	2

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	473	100.0	510	100.0	424	100.0	377	100.0
Death penalty.....	1	0.2	-	-	-	-	1	0.3
State prisons or reformatories...	245	51.8	292	57.3	241	56.8	197	52.3
Probation or suspended sentence..	132	27.9	139	27.3	94	22.2	90	23.9
Local jails, workhouses, etc.....	85	17.5	76	14.9	78	18.4	81	21.5
Fine or costs only.....	1	0.2	1	0.2	2	0.5	2	0.5
Institutions for juveniles.....	11	2.3	2	0.4	9	2.1	6	1.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	527	1	258	148	101	7	12	-
Major offenses, total ¹	473	1	245	132	83	1	11	-
Murder.....	8	1	7	-	-	-	-	-
Manslaughter.....	8	-	4	2	2	-	-	-
Robbery.....	30	-	25	3	2	-	-	-
Aggravated assault.....	18	-	6	5	6	1	-	-
Burglary.....	154	-	62	43	23	-	6	-
Larceny, except auto theft.....	73	-	24	22	12	-	5	-
Auto theft.....	7	-	1	5	1	-	-	-
Embezzlement and fraud.....	13	-	5	5	3	-	-	-
Stolen property, receiving, etc..	8	-	4	2	2	-	-	-
Forgery and counterfeiting.....	130	-	70	33	27	-	-	-
Rape.....	24	-	14	8	2	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	6	-	5	-	1	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	1	-	-	-	-
Other major offenses.....	13	-	8	3	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	3	-	2	-	1	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	3	-	2	1	-	-	-	-
Escape and jail break.....	1	-	-	-	1	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	3	-	3	-	-	-	-	-
Other offenses: ²								
Minor assault.....	6	-	-	-	4	2	-	-
Nonsupport or neglect.....	3	-	-	2	1	-	-	-
Violating liquor laws.....	7	-	1	4	-	2	-	-
Driving while intoxicated.....	9	-	-	4	5	-	-	-
Other motor-vehicle laws.....	4	-	-	1	1	1	1	-
Disorderly conduct and vagrancy..	7	-	6	1	-	-	-	-
Gambling.....	-	-	-	-	-	-	-	-
All other offenses.....	18	-	6	4	7	1	-	-

See footnotes 1 and 2 on first page.

3-31096

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt. Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: INDIANA, 1940

The Bureau of the Census received from the clerks of court reports on 3,479 defendants charged with major offenses who were disposed of in the trial courts in 71 of the 92 counties of Indiana during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 6 out of 10 (64.2 percent) of the total of 3,479 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,479	100.0	3,932	100.0	5,068	100.0
Eliminated without conviction....	1,246	35.8	1,417	36.0	2,163	42.7
Dismissed.....	1,031	29.6	1,210	30.8	1,774	35.0
Acquitted by court(jury waived)	120	3.4	100	2.5	185	3.7
Acquitted by jury.....	33	0.9	39	1.0	86	1.7
Other no-penalty disposition...	62	1.8	68	1.7	118	2.3
Convicted.....	2,233	64.2	2,515	64.0	2,905	57.3
Plea of guilty.....	1,954	56.2	2,110	53.7	2,103	41.5
Court finds guilty(jury waived)	213	6.1	288	7.3	629	12.4
Jury verdict guilty.....	66	1.9	117	3.0	173	3.4

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: INDIANA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	6,033	2,563	2,204	200	48	111	3,470	3,012	375	83
Major offenses, total ¹	3,479	1,246	1,031	120	33	62	2,233	1,954	213	66
Murder.....	35	17	10	1	4	2	18	9	2	7
Manslaughter.....	52	28	20	4	3	1	24	15	4	5
Robbery.....	148	77	53	15	1	8	71	63	2	6
Aggravated assault.....	217	101	81	13	3	4	116	80	25	11
Burglary.....	575	136	111	11	4	10	439	378	49	12
Larceny, except auto theft....	965	267	211	26	4	26	698	627	66	5
Auto theft.....	332	68	65	3	-	-	264	250	14	-
Embezzlement and fraud.....	374	224	211	9	1	3	150	134	13	3
Stolen property, receiving, etc.	112	51	38	8	3	2	61	57	4	-
Forgery and counterfeiting....	247	105	91	8	2	4	142	131	9	2
Rape.....	126	61	47	11	3	-	65	45	12	8
Commercialized vice.....	14	6	6	-	-	-	8	8	-	-
Other sex offenses.....	127	44	34	6	3	1	83	72	8	3
Violating drug laws.....	20	4	4	-	-	-	16	15	1	-
Carrying, etc., weapons.....	53	27	23	4	-	-	26	20	4	2
Other major offenses.....	82	30	26	1	2	1	52	50	-	2
Abortion.....	1	-	-	-	-	-	1	1	-	-
Arson.....	16	7	3	1	2	1	9	9	-	-
Bigamy.....	16	4	4	-	-	-	12	12	-	-
Blackmail and extortion.....	2	1	1	-	-	-	1	1	-	-
Escape and jail break.....	26	3	3	-	-	-	23	23	-	-
Kidnaping.....	6	5	5	-	-	-	1	-	-	1
Perjury.....	15	10	10	-	-	-	5	4	-	1
Other offenses: ²										
Minor assault.....	305	181	156	17	3	5	124	105	18	1
Nonsupport or neglect.....	617	431	387	18	1	25	186	136	50	-
Violating liquor laws.....	316	103	93	6	1	3	213	192	20	1
Driving while intoxicated.....	276	71	54	14	1	2	205	178	24	3
Other motor-vehicle laws.....	180	102	88	10	2	2	78	67	8	3
Disorderly conduct and vagrancy	267	74	70	1	1	2	193	180	12	1
Gambling.....	103	75	74	1	-	-	28	27	1	-
All other offenses.....	490	280	251	13	6	10	210	173	29	8

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here. On the basis of the 1940 Census, reports cover 99.2 percent of the population in 1937; 73.7 percent in 1938; and 71.3 percent in 1940. No report was made in 1939.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,233	100.0	2,515	100.0	2,905	100.0
Death penalty.....	1	(¹)	4	0.2	9	0.3
State prisons or reformatories...	1,179	52.8	1,388	55.2	1,734	59.7
Probation or suspended sentence..	689	30.9	730	29.0	677	23.3
Local jails, workhouses, etc.....	220	9.9	224	8.9	302	10.4
Fine or costs only.....	80	3.6	134	5.3	150	5.2
Institutions for juveniles.....	63	2.8	35	1.4	33	1.1
Other sentences.....	1	(¹)	-	-	-	-

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: INDIANA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	3,470	1	1,406	1,030	426	511	90	6
Major offenses, total ¹	2,233	1	1,179	689	220	80	63	1
Murder.....	18	-	18	-	-	-	-	-
Manslaughter.....	24	-	20	3	1	-	-	-
Robbery.....	71	-	64	7	-	-	-	-
Aggravated assault.....	116	-	62	32	13	8	1	-
Burglary.....	439	-	274	118	25	6	16	-
Larceny, except auto theft.....	698	-	324	249	93	22	10	-
Auto theft.....	264	-	111	112	12	4	25	-
Embezzlement and fraud.....	150	-	64	52	20	14	-	-
Stolen property, receiving, etc..	61	-	29	20	11	1	-	-
Forgery and counterfeiting.....	142	-	82	45	6	9	-	-
Rape.....	65	-	51	8	5	1	-	-
Commercialized vice.....	8	-	-	-	5	3	-	-
Other sex offenses.....	83	-	30	23	14	5	11	-
Violating drug laws.....	16	-	12	1	3	-	-	-
Carrying, etc., weapons.....	26	-	4	7	7	7	-	1
Other major offenses.....	52	1	34	12	5	-	-	-
Abortion.....	1	-	-	1	-	-	-	-
Arson.....	9	-	5	2	2	-	-	-
Bigamy.....	12	-	4	5	3	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	23	-	22	1	-	-	-	-
Kidnaping.....	1	1	-	-	-	-	-	-
Perjury.....	5	-	2	3	-	-	-	-
Other offenses: ²								
Minor assault.....	124	-	12	31	45	35	1	-
Nonsupport or neglect.....	186	-	38	131	9	8	-	-
Violating liquor laws.....	213	-	24	26	32	129	-	2
Driving while intoxicated.....	205	-	59	25	42	78	1	-
Other motor-vehicle laws.....	78	-	16	14	13	34	-	1
Disorderly conduct and vagrancy..	193	-	34	47	37	72	2	1
Gambling.....	28	-	-	2	-	26	-	-
All other offenses.....	210	-	44	65	28	49	23	1

See footnotes 1 and 2 on first page. (a) No report was made in 1939.

November 8, 1941

U. S. DEPARTMENT OF COMMERCE
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J. C. Capt. Director

WASHINGTON

JUDICIAL CRIMINAL STATISTICS: IOWA, 1940

The Bureau of the Census received from the clerks of court reports on 2,195 defendants charged with major offenses who were disposed of in the district courts in the 99 counties of Iowa during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (77.3 percent) of the total of 2,195 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,195	100.0	1,875	100.0	1,641	100.0	1,572	100.0
Eliminated without conviction....	498	22.7	427	22.8	332	20.2	348	22.1
Dismissed.....	439	20.0	359	19.1	289	17.6	308	19.6
Acquitted by court(jury waived)	3	0.1	14	0.7	10	0.6	2	0.1
Acquitted by jury.....	46	2.1	41	2.2	32	2.0	30	1.9
Other no-penalty disposition...	10	0.5	13	0.7	1	0.1	8	0.5
Convicted.....	1,697	77.3	1,448	77.2	1,309	79.8	1,224	77.9
Plea of guilty.....	1,627	74.1	1,373	73.2	1,225	74.6	1,146	72.9
Court finds guilty(jury waived)	19	0.9	20	1.1	31	1.9	26	1.7
Jury verdict guilty.....	51	2.3	55	2.9	53	3.2	52	3.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IOWA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	4,652	977	866	14	77	20	3,675	3,513	48	114
Major offenses, total ¹	2,195	498	439	3	46	10	1,697	1,627	19	51
Murder.....	17	4	2	-	2	-	13	9	-	4
Manslaughter.....	20	10	8	1	1	-	10	5	-	5
Robbery.....	67	16	14	-	1	1	51	44	2	5
Aggravated assault.....	69	17	14	-	2	1	52	45	-	7
Burglary.....	300	68	60	-	8	-	232	227	2	3
Larceny, except auto theft....	588	75	67	1	7	-	513	502	7	4
Auto theft.....	161	35	35	-	-	-	126	123	2	1
Embezzlement and fraud.....	233	88	77	1	10	-	145	142	-	3
Stolen property, receiving, etc.	33	8	7	-	1	-	25	24	-	1
Forgery and counterfeiting....	311	67	59	-	3	5	244	236	3	5
Rape.....	48	14	12	-	2	-	34	29	-	5
Commercialized vice.....	18	5	5	-	-	-	13	13	-	-
Other sex offenses.....	149	55	49	-	6	-	94	90	-	4
Violating drug laws.....	31	7	7	-	-	-	24	23	-	1
Carrying, etc., weapons.....	44	12	11	-	1	-	32	31	-	1
Other major offenses.....	106	17	12	-	2	3	89	84	3	2
Abortion.....	1	1	1	-	-	-	-	-	-	-
Arson.....	17	2	-	-	1	1	15	14	-	1
Bigamy.....	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion.....	8	1	1	-	-	-	7	7	-	-
Escape and jail break.....	62	4	2	-	-	2	58	57	1	-
Kidnaping.....	2	1	1	-	-	-	1	-	-	1
Perjury.....	12	7	6	-	1	-	5	3	2	-
Other offenses: ²										
Minor assault.....	63	28	21	1	6	-	35	32	-	3
Nonsupport or neglect.....	179	96	91	1	1	3	83	79	1	3
Violating liquor laws.....	248	68	66	-	2	-	180	170	2	8
Driving while intoxicated.....	1,374	158	138	1	18	1	1,216	1,167	8	41
Other motor-vehicle laws.....	188	28	26	-	-	2	160	158	-	2
Disorderly conduct and vagrancy	66	19	18	-	-	1	47	47	-	-
Gambling.....	96	8	7	-	1	-	88	88	-	-
All other offenses.....	243	74	60	8	3	3	169	145	18	6

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 66.6 percent of the population of the State in 1937; 77.2 percent in 1938; 80.6 percent in 1939; and 100.0 percent in 1940.

(OVER)

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the

last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,697	100.0	1,448	100.0	1,309	100.0	1,224	100.0
Death penalty.....	1	0.1	-	-	1	0.1	1	0.1
State prisons or reformatories...	697	41.1	599	41.4	577	44.1	526	43.0
Probation or suspended sentence..	303	17.9	290	20.0	206	15.7	187	15.3
Local jails, workhouses, etc.....	585	34.5	470	32.5	441	33.7	455	37.2
Fine or costs only.....	91	5.4	73	5.0	61	4.7	44	3.6
Institutions for juveniles.....	20	1.2	16	1.1	23	1.8	11	0.9
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IOWA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	3,675	1	792	526	1,227	1,088	41	-
Major offenses, total ¹	1,697	1	697	303	585	91	20	-
Murder.....	13	1	12	-	-	-	-	-
Manslaughter.....	10	-	7	2	-	1	-	-
Robbery.....	51	-	42	3	4	2	-	-
Aggravated assault.....	52	-	15	11	21	5	-	-
Burglary.....	232	-	97	44	83	4	4	-
Larceny, except auto theft.....	513	-	158	90	232	26	7	-
Auto theft.....	126	-	72	20	32	1	1	-
Embezzlement and fraud.....	145	-	43	40	48	12	2	-
Stolen property, receiving, etc..	25	-	6	6	10	3	-	-
Forgery and counterfeiting.....	244	-	112	35	90	5	2	-
Rape.....	34	-	23	8	2	-	1	-
Commercialized vice.....	13	-	4	2	3	4	-	-
Other sex offenses.....	94	-	33	21	29	9	2	-
Violating drug laws.....	24	-	-	7	12	4	1	-
Carrying, etc., weapons.....	32	-	2	6	16	8	-	-
Other major offenses.....	89	-	71	8	9	7	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	15	-	10	3	-	2	-	-
Bigamy.....	3	-	1	-	1	1	-	-
Blackmail and extortion.....	7	-	2	3	1	1	-	-
Escape and jail break.....	58	-	55	-	1	2	-	-
Kidnaping.....	1	-	-	-	-	1	-	-
Perjury.....	5	-	3	2	-	-	-	-
Other offenses: ²								
Minor assault.....	35	-	5	4	19	7	-	-
Nonsupport or neglect.....	83	-	11	56	13	3	-	-
Violating liquor laws.....	180	-	11	25	46	97	1	-
Driving while intoxicated.....	1,216	-	19	59	479	658	1	-
Other motor-vehicle laws.....	160	-	10	14	18	115	3	-
Disorderly conduct and vagrancy..	47	-	2	31	8	5	1	-
Gambling.....	88	-	-	4	3	81	-	-
All other offenses.....	169	-	37	30	56	31	15	-

See footnotes 1 and 2 on first page.

May 10, 1941

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: KANSAS, 1940

The Bureau of the Census received from the clerks of court reports on 1,430 defendants charged with major offenses who were disposed of in the 105 district courts of Kansas during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately four-fifths (79.0) of the total of 1,430 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,430	100.0	1,805	100.0	1,658	100.0	1,793	100.0
Eliminated without conviction....	300	21.0	405	22.4	364	22.0	452	25.2
Dismissed.....	244	17.1	335	18.6	265	16.0	380	21.2
Acquitted by court(jury waived)	6	0.4	7	0.4	20	1.2	3	0.2
Acquitted by jury.....	49	3.4	61	3.4	61	3.7	54	3.0
Other no-penalty disposition...	1	0.1	2	0.1	18	1.1	15	0.8
Convicted.....	1,130	79.0	1,400	77.6	1,294	78.0	1,341	74.8
Plea of guilty.....	1,007	70.4	1,263	70.0	1,093	65.9	1,164	64.9
Court finds guilty(jury waived)	19	1.3	16	0.9	37	2.2	20	1.1
Jury verdict guilty.....	104	7.3	121	6.7	164	9.9	157	8.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,239	679	588	12	75	4	1,560	1,389	32	139
Major offenses, total ¹	1,430	300	244	6	49	1	1,130	1,007	19	104
Murder.....	16	6	1	-	5	-	10	5	-	5
Manslaughter.....	14	3	1	-	2	-	11	2	1	8
Robbery.....	54	11	9	-	2	-	43	36	-	7
Aggravated assault.....	60	24	19	-	5	-	36	28	2	6
Burglary.....	290	46	37	1	7	1	244	220	7	17
Larceny, except auto theft.....	404	59	49	-	10	-	345	316	2	27
Auto theft.....	72	4	4	-	-	-	68	67	-	1
Embezzlement and fraud.....	123	53	48	1	4	-	70	58	2	10
Stolen property, receiving, etc..	25	8	7	-	1	-	17	17	-	-
Forgery and counterfeiting.....	205	23	22	-	1	-	182	172	2	8
Rape.....	70	32	21	2	9	-	38	30	1	7
Commercialized vice.....	3	2	2	-	-	-	1	1	-	-
Other sex offenses.....	14	7	5	2	-	-	7	6	1	-
Violating drug laws.....	7	3	3	-	-	-	4	4	-	-
Carrying, etc., weapons.....	4	1	1	-	-	-	3	2	-	1
Other major offenses.....	69	18	15	-	3	-	51	43	1	7
Abortion.....	1	-	-	-	-	-	1	1	-	-
Arson.....	21	5	3	-	2	-	16	12	-	4
Bigamy.....	7	-	-	-	-	-	7	7	-	-
Blackmail and extortion.....	5	4	4	-	-	-	1	1	-	-
Escape and jail break.....	24	2	2	-	-	-	22	19	1	2
Kidnaping.....	2	1	-	-	1	-	1	-	-	1
Perjury.....	9	6	6	-	-	-	3	3	-	-
Other offenses: ²										
Minor assault.....	30	13	13	-	-	-	17	14	-	3
Nonsupport or neglect.....	84	44	43	-	1	-	40	33	2	5
Violating liquor laws.....	462	187	172	1	12	2	275	254	6	15
Driving while intoxicated.....	62	31	26	-	5	-	31	27	-	4
Other motor-vehicle laws.....	21	15	14	-	1	-	6	5	1	-
Disorderly conduct and vagrancy..	42	32	29	-	3	-	10	10	-	-
Gambling.....	27	13	13	-	-	-	14	12	2	-
All other offenses.....	81	44	34	5	4	1	37	27	2	8

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

(OVER)

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,130	100.0	1,400	100.0	1,294	100.0	1,341	100.0
Death penalty.....	-	-	-	-	-	-	1	0.1
State prisons or reformatories...	805	71.2	911	65.1	1,009	78.0	961	71.7
Probation or suspended sentence...	211	18.7	318	22.7	117	9.0	203	15.1
Local jails, workhouses, etc.....	105	9.3	151	10.8	110	8.5	158	11.8
Fine or costs only.....	9	0.8	20	1.4	53	4.1	16	1.2
Institutions for juveniles.....	-	-	-	-	*4	0.3	*2	0.1
Other sentences.....	-	-	-	-	1	0.1	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE:
KANSAS, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,560	-	846	351	310	51	-	2
Major offenses, total ¹	1,130	-	805	211	105	9	-	-
Murder.....	10	-	10	-	-	-	-	-
Manslaughter.....	11	-	8	2	1	-	-	-
Robbery.....	43	-	40	3	-	-	-	-
Aggravated assault.....	36	-	21	4	9	2	-	-
Burglary.....	244	-	204	36	4	-	-	-
Larceny, except auto theft.....	345	-	212	79	49	5	-	-
Auto theft.....	58	-	59	2	7	-	-	-
Embezzlement and fraud.....	70	-	38	17	13	2	-	-
Stolen property, receiving, etc..	17	-	8	3	6	-	-	-
Forgery and counterfeiting.....	182	-	127	48	7	-	-	-
Rape.....	38	-	33	5	-	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	7	-	6	1	-	-	-	-
Violating drug laws.....	4	-	3	1	-	-	-	-
Carrying, etc., weapons.....	3	-	1	2	-	-	-	-
Other major offenses.....	51	-	34	8	9	-	-	-
Abortion.....	1	-	-	-	1	-	-	-
Arson.....	16	-	10	5	1	-	-	-
Bigamy.....	7	-	4	-	3	-	-	-
Blackmail and extortion.....	1	-	-	-	1	-	-	-
Escape and jail break.....	22	-	18	1	3	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	3	-	1	2	-	-	-	-
Other offenses: ²								
Minor assault.....	17	-	-	7	6	4	-	-
Nonsupport or neglect.....	40	-	10	29	1	-	-	-
Violating liquor laws.....	275	-	20	76	186	11	-	2
Driving while intoxicated.....	31	-	-	7	18	6	-	-
Other motor-vehicle laws.....	6	-	-	2	1	3	-	-
Disorderly conduct and vagrancy..	10	-	2	2	5	1	-	-
Gambling.....	14	-	-	4	2	8	-	-
All other offenses.....	37	-	9	13	6	9	-	-

See footnotes 1 and 2 on first page.

¹Figures released as reported to us. Subsequent information indicates that the report was incorrect and that Kansas Criminal Courts commit no individuals to juvenile institutions.

September 24, 1941

U.S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: MASSACHUSETTS, 1940

The Bureau of the Census received from the clerks of court reports on 3,194 defendants charged with major offenses who were disposed of in the superior courts of the 14 counties of Massachusetts during the calendar year 1940.

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (82.9 percent) of the total of 3,194 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,194	100.0	3,548	100.0	3,085	100.0	3,044	100.0
Eliminated without conviction....	547	17.1	683	19.3	692	22.4	515	16.9
Dismissed.....	242	7.6	393	11.1	441	14.3	304	10.0
Acquitted by court (jury waived)	95	3.0	93	2.6	109	3.5	66	2.2
Acquitted by jury.....	209	6.5	195	5.5	139	4.5	145	4.8
Other no-penalty disposition....	1	(¹)	2	0.1	3	0.1	-	-
Convicted.....	2,647	82.9	2,865	80.7	2,393	77.6	2,529	83.1
Plea of guilty.....	2,270	71.1	2,450	69.1	2,041	66.2	2,129	69.9
Court finds guilty (jury waived)	132	4.1	103	2.9	137	4.4	76	2.5
Jury verdict guilty.....	245	7.7	312	8.8	215	7.0	324	10.6

¹Less than one-tenth of 1 percent.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,852	693	319	113	260	1	3,159	2,711	160	288
Major offenses, total ¹	3,194	547	242	95	209	1	2,647	2,270	132	245
Murder.....	19	7	4	-	2	1	12	8	-	4
Manslaughter.....	17	4	-	1	3	-	13	9	1	3
Robbery.....	406	73	16	12	45	-	333	266	14	53
Aggravated assault.....	111	29	6	4	19	-	82	49	12	21
Burglary.....	962	88	53	14	21	-	874	813	15	46
Larceny, except auto theft ²	566	132	75	19	38	-	434	391	16	27
Auto theft.....	311	38	18	1	19	-	273	249	12	12
Embezzlement and fraud.....	...	...	...	...	...	...	...	...	...	...
Stolen property, receiving, etc.	62	16	7	2	7	-	46	38	1	7
Forgery and counterfeiting....	57	7	4	3	-	-	50	48	2	-
Rape.....	275	63	24	16	23	-	212	150	34	28
Commercialized vice.....	13	4	2	-	2	-	9	7	2	-
Other sex offenses.....	119	28	9	14	5	-	91	61	14	16
Violating drug laws.....	19	-	-	-	-	-	19	15	-	4
Carrying, etc., weapons.....	78	6	4	-	2	-	72	63	3	6
Other major offenses.....	179	52	20	9	23	-	127	103	6	18
Abortion.....	35	15	3	1	11	-	20	17	-	3
Arson.....	82	24	10	6	8	-	58	48	3	7
Bigamy.....	12	2	1	1	-	-	10	7	2	1
Blackmail and extortion.....	6	4	-	-	4	-	2	1	-	1
Escape and jail break.....	14	1	1	-	-	-	13	11	-	2
Kidnaping.....	11	1	1	-	-	-	10	6	1	3
Perjury.....	19	5	4	1	-	-	14	13	-	1
Other offenses: ³										
Minor assault.....	108	12	2	3	7	-	96	68	9	19
Nonsupport or neglect.....	96	26	21	4	1	-	70	68	2	-
Violating liquor laws.....	22	7	4	-	3	-	15	15	-	-
Driving while intoxicated.....	25	1	-	-	1	-	24	20	1	3
Other motor-vehicle laws.....	182	23	4	1	18	-	159	133	9	17
Disorderly conduct and vagrancy	28	3	-	-	3	-	25	22	2	1
Gambling.....	75	13	13	-	-	-	62	62	-	-
All other offenses.....	122	61	33	10	18	-	61	53	5	3

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Larceny, except auto theft, includes embezzlement and fraud.

³Most of these offenses are tried in large numbers by minor courts not reporting here.

(OVER)

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,647	100.0	2,865	100.0	2,393	100.0	2,529	100.0
Death penalty.....	1	(¹)	2	0.1	1	(¹)	1	(¹)
Imprisonment ²	1,428	53.9	1,587	55.4	1,253	52.3	1,469	58.1
Probation or suspended sentence.	735	27.8	940	32.8	854	35.7	736	29.1
Fine or costs only.....	10	0.4	21	0.7	17	0.7	24	0.9
Institutions for juveniles.....	-	-	-	-	-	-	-	-
Other sentences.....	473	17.9	315	11.0	268	11.2	299	11.8

¹Less than one-tenth of 1 percent.

²Includes defendants sentenced to State prisons and reformatories and local jails, workhouses, etc.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1940

Offense	Total number of defendants sentenced	Death penalty	Imprisonment ¹	Probation or suspended sentence	Fine or costs only	Institutions for juvenile delinquents only	On file after conviction
All offenses.....	3,159	1	1,595	889	74	-	600
Major offenses, total ¹	2,647	1	1,428	735	10	-	473
Murder.....	12	1	11	-	-	-	-
Manslaughter.....	13	-	13	-	-	-	-
Robbery.....	333	-	256	37	-	-	40
Aggravated assault.....	82	-	46	17	3	-	16
Burglary.....	874	-	411	329	-	-	134
Larceny, except auto theft ²	434	-	176	124	1	-	133
Auto theft.....	273	-	143	95	1	-	34
Stolen property, receiving, etc....	46	-	15	23	-	-	8
Forgery and counterfeiting.....	50	-	20	13	-	-	17
Rape.....	212	-	147	48	-	-	17
Commercialized vice.....	9	-	6	-	-	-	3
Other sex offenses.....	91	-	47	18	2	-	24
Violating drug laws.....	19	-	12	4	-	-	3
Carrying, etc., weapons.....	72	-	43	8	1	-	20
Other major offenses.....	127	-	82	19	2	-	24
Abortion.....	20	-	10	8	-	-	2
Arson.....	58	-	32	8	-	-	19
Bigamy.....	10	-	7	2	1	-	-
Blackmail and extortion.....	2	-	1	-	-	-	1
Escape and jail break.....	13	-	13	-	-	-	-
Kidnaping.....	10	-	10	-	-	-	-
Perjury.....	14	-	9	1	1	-	3
Other offenses: ³							
Minor assault.....	96	-	41	38	1	-	16
Nonsupport or neglect.....	70	-	8	58	-	-	4
Violating liquor laws.....	15	-	12	-	-	-	3
Driving while intoxicated.....	24	-	12	1	7	-	4
Other motor-vehicle laws.....	159	-	63	26	11	-	59
Disorderly conduct and vagrancy...	25	-	2	2	-	-	21
Gambling.....	62	-	16	7	32	-	7
All other offenses.....	61	-	13	22	13	-	13

¹Includes defendants sentenced to State prisons and reformatories and local jails, workhouses, etc. See footnotes 1, 2, and 3 on first page.

March 6, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: MICHIGAN, 1940

The Bureau of the Census received reports on 2,747 defendants charged with major offenses who were disposed of in the trial courts of the 83 counties of Michigan during the calendar year 1940. The publication of these statistics was made possible by the cooperation of George A. Kropp of the Michigan Department of Correction. Some areas, especially Wayne County, are incompletely reported as evidenced by the fact that the reporting clerks of court indicate 1,038 persons sentenced to prisons or reformatories whereas the total number of prisoners received from the courts during the year was 2,395.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,747	100.0	4,173	100.0	4,623	100.0	4,723	100.0
Eliminated without conviction....	561	20.4	863	20.7	949	20.5	822	17.4
Dismissed.....	261	9.5	370	8.9	518	11.2	467	9.9
Acquitted by court(jury waived)	14	0.5	81	1.9	130	2.8	73	1.5
Acquitted by jury.....	59	2.1	105	2.5	78	1.7	224	4.7
Other no-penalty disposition...	227	8.3	307	7.4	223	4.8	58	1.2
Convicted.....	2,186	79.6	3,310	79.3	3,674	79.5	3,901	82.6
Plea of guilty.....	1,932	70.3	2,652	63.6	2,937	64.6	3,092	65.5
Court finds guilty(jury waived)	154	5.6	373	8.9	379	8.2	241	5.1
Jury verdict guilty.....	100	3.6	285	6.8	308	6.7	568	12.0

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,753	814	395	33	68	318	2,939	2,592	220	127
Major offenses, total ¹	2,747	561	261	14	59	227	2,186	1,932	154	100
Murder.....	24	8	3	-	-	5	16	9	-	7
Manslaughter.....	81	42	15	4	16	7	39	26	4	9
Robbery.....	155	26	16	1	2	7	129	111	8	10
Aggravated assault.....	142	57	32	1	8	16	85	61	10	14
Burglary.....	667	64	31	1	4	28	603	558	32	13
Larceny, except auto theft....	437	57	24	-	3	30	380	334	32	14
Auto theft.....	306	38	15	-	2	21	268	247	16	5
Embezzlement and fraud.....	143	50	23	2	3	22	93	79	11	3
Stolen property, receiving, etc.	39	22	13	-	1	8	17	15	1	1
Forgery and counterfeiting....	151	21	11	1	1	8	130	125	1	4
Rape.....	174	54	24	2	7	21	120	95	17	8
Commercialized vice.....	10	4	4	-	-	-	6	6	-	-
Other sex offenses.....	277	81	23	2	6	40	196	173	14	9
Violating drug laws.....	2	1	1	-	-	-	1	1	-	-
Carrying, etc., weapons.....	66	18	6	-	3	9	48	44	3	1
Other major offenses.....	73	18	10	-	3	5	55	48	5	2
Abortion.....	7	3	2	-	-	1	4	4	-	-
Arson.....	22	5	1	-	2	2	17	13	3	1
Bigamy.....	8	2	1	-	-	1	6	6	-	-
Blackmail and extortion.....	5	2	2	-	-	-	3	3	-	-
Escape and jail break.....	17	2	1	-	-	1	15	12	2	1
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	14	4	3	-	1	-	10	10	-	-
Other offenses: ²										
Minor assault.....	53	7	6	1	-	-	46	39	6	1
Non-support or neglect.....	148	55	18	1	3	33	93	85	4	4
Violating liquor laws.....	118	34	22	-	2	10	84	69	10	5
Driving while intoxicated.....	23	2	1	-	-	1	21	19	2	-
Other motor-vehicle laws.....	44	11	6	2	-	3	33	26	5	2
Disorderly conduct and vagrancy	92	4	1	-	-	3	88	79	7	2
Gambling.....	128	25	11	-	2	12	103	98	4	1
All other offenses.....	400	115	69	15	2	29	285	245	28	12

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.
²Most of these offenses are tried in large numbers by minor courts not reporting here.

(OVER)

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (79.6 percent) of the total of 2,747 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposi-

tion of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,186	100.0	3,310	100.0	3,674	100.0	3,901	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	933	42.7	1,430	43.2	1,786	48.6	1,856	47.6
Probation or suspended sentence..	1,098	50.2	1,511	45.6	1,293	35.2	1,463	37.5
Local jails, workhouses, etc.....	105	4.8	214	6.5	472	12.8	458	11.7
Fine or costs only.....	50	2.3	155	4.7	123	3.3	123	3.2
Institutions for juveniles.....	-	-	-	-	-	-	1	(¹)
Other sentences.....	-	-	-	-	-	-	-	-

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,939	-	1,038	1,556	180	165	-	-
Major offenses, total ¹	2,186	-	933	1,098	105	50	-	-
Murder.....	16	-	16	-	-	-	-	-
Manslaughter.....	39	-	16	21	-	2	-	-
Robbery.....	129	-	115	14	-	-	-	-
Aggravated assault.....	85	-	40	37	4	4	-	-
Burglary.....	603	-	233	356	8	6	-	-
Larceny, except auto theft.....	380	-	144	193	35	8	-	-
Auto theft.....	268	-	86	172	8	2	-	-
Embezzlement and fraud.....	93	-	21	60	3	9	-	-
Stolen property, receiving, etc..	17	-	7	9	-	1	-	-
Forgery and counterfeiting.....	130	-	65	60	2	3	-	-
Rape.....	120	-	69	48	3	-	-	-
Commercialized vice.....	6	-	4	1	1	-	-	-
Other sex offenses.....	196	-	65	90	33	8	-	-
Violating drug laws.....	1	-	1	-	-	-	-	-
Carrying, etc., weapons.....	48	-	15	26	3	4	-	-
Other major offenses.....	55	-	36	11	5	3	-	-
Abortion.....	4	-	2	-	2	-	-	-
Arson.....	17	-	11	6	-	-	-	-
Bigamy.....	6	-	4	1	1	-	-	-
Blackmail and extortion.....	3	-	1	2	-	-	-	-
Escape and jail break.....	15	-	12	2	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	10	-	6	-	1	3	-	-
Other offenses: ²								
Minor assault.....	46	-	1	24	11	10	-	-
Nonsupport or neglect.....	93	-	18	74	1	-	-	-
Violating liquor laws.....	84	-	10	44	13	17	-	-
Driving while intoxicated.....	21	-	5	8	3	5	-	-
Other motor-vehicle laws.....	33	-	2	21	6	4	-	-
Disorderly conduct and vagrancy..	88	-	36	23	15	9	-	-
Gambling.....	103	-	1	22	24	55	-	-
All other offenses.....	285	-	32	236	2	15	-	-

See footnotes 1 and 2 on first page.

3-31613

January 24, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, SecretaryBUREAU OF THE CENSUS
J. C. Capt. Director

WASHINGTON

JUDICIAL CRIMINAL STATISTICS: MINNESOTA, 1940

The Bureau of the Census received from the Minnesota Bureau of Criminal Apprehension reports on 1,990 defendants charged with major offenses who were disposed of in the district courts of the 87 counties of Minnesota during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of every 10 (90.8 percent) of the total of 1,990 defendants were convicted.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,990	100.0	2,069	100.0	2,295	100.0	1,908	100.0
Eliminated without conviction....	183	9.2	196	9.5	294	12.8	232	12.2
Dismissed.....	130	6.5	132	6.4	231	10.1	161	8.4
Acquitted by court(jury waived)	3	0.2	-	-	2	0.1	1	0.1
Acquitted by jury.....	43	2.2	56	2.7	43	1.9	55	2.9
Other no-penalty disposition...	7	0.4	8	0.4	18	0.8	15	0.8
Convicted.....	1,807	90.8	1,873	90.5	2,001	87.2	1,676	87.8
Plea of guilty.....	1,741	87.5	1,784	86.2	1,903	82.9	1,578	82.7
Court finds guilty(jury waived)	3	0.2	6	0.3	6	0.3	8	0.4
Jury verdict guilty.....	63	2.2	83	4.0	92	4.0	90	4.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,602	262	194	4	56	8	2,340	2,257	5	78
Major offenses, total ¹	1,990	183	130	3	43	7	1,807	1,741	3	63
Murder.....	14	4	-	-	2	2	10	6	-	4
Manslaughter.....	24	8	2	-	6	-	16	11	-	5
Robbery.....	53	3	2	-	1	-	50	45	-	5
Aggravated assault.....	76	18	9	-	8	1	58	52	1	5
Burglary.....	278	14	10	-	3	1	264	260	-	4
Larceny, except auto theft....	626	46	43	-	3	-	590	573	-	17
Auto theft.....	151	8	7	-	1	-	143	139	-	4
Embezzlement and fraud.....	52	16	12	-	4	-	36	34	-	2
Stolen property, receiving, etc.	38	3	1	-	2	-	35	35	-	-
Forgery and counterfeiting....	353	20	17	-	2	1	333	331	-	2
Rape.....	91	10	3	1	4	2	81	75	-	6
Commercialized vice.....	27	7	7	-	-	-	20	19	-	1
Other sex offenses.....	115	18	11	1	6	-	97	92	1	4
Violating drug laws.....	8	2	1	1	-	-	6	5	1	-
Carrying, etc., weapons.....	4	3	3	-	-	-	1	1	-	-
Other major offenses.....	70	3	2	-	1	-	67	63	-	4
Abortion.....	7	-	-	-	-	-	7	6	-	1
Arson.....	41	1	1	-	-	-	40	39	-	1
Bigamy.....	4	1	-	-	1	-	3	3	-	-
Blackmail and extortion.....	7	1	1	-	-	-	6	4	-	2
Escape and jail break.....	5	-	-	-	-	-	5	5	-	-
Kidnaping.....	3	-	-	-	-	-	3	3	-	-
Perjury.....	3	-	-	-	-	-	3	3	-	-
Other offenses: ²										
Minor assault.....	36	5	2	-	3	-	31	26	-	5
Nonsupport or neglect.....	121	19	17	-	2	-	102	99	1	2
Violating liquor laws.....	188	21	17	-	4	-	167	165	-	2
Driving while intoxicated.....	-	-	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	5	-	-	-	-	-	5	5	-	-
Disorderly conduct and vagrancy	6	2	2	-	-	-	4	4	-	-
Gambling.....	172	11	9	-	2	-	161	159	-	2
All other offenses.....	84	21	17	1	2	1	63	58	1	4

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on

those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,807	100.0	1,873	100.0	2,001	100.0	1,676	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	788	43.6	859	45.9	903	45.1	757	45.2
Probation or suspended sentence..	719	39.8	740	39.5	788	39.4	672	40.1
Local jails, workhouses, etc.....	240	13.3	212	11.3	267	13.3	180	10.7
Fine or costs only.....	55	3.0	55	2.9	35	1.7	61	3.6
Institutions for juveniles.....	5	0.3	7	0.4	8	0.4	6	0.4
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,340	-	813	863	315	344	5	-
Major offenses, total ¹	1,807	-	788	719	240	55	5	-
Murder.....	10	-	10	-	-	-	-	-
Manslaughter.....	16	-	9	4	2	1	-	-
Robbery.....	50	-	42	8	-	-	-	-
Aggravated assault.....	58	-	29	19	4	6	-	-
Burglary.....	264	-	109	125	28	-	2	-
Larceny, except auto theft.....	590	-	232	246	89	20	2	-
Auto theft.....	143	-	58	74	10	-	1	-
Embezzlement and fraud.....	36	-	2	20	7	7	-	-
Stolen property, receiving, etc..	55	-	7	12	10	6	-	-
Forgery and counterfeiting.....	333	-	135	131	61	6	-	-
Rape.....	81	-	53	22	5	-	-	-
Commercialized vice.....	20	-	6	2	7	5	-	-
Other sex offenses.....	97	-	60	21	12	4	-	-
Violating drug laws.....	6	-	2	3	1	-	-	-
Carrying, etc., weapons.....	1	-	-	-	1	-	-	-
Other major offenses.....	67	-	33	31	3	-	-	-
Abortion.....	7	-	5	2	-	-	-	-
Arson.....	40	-	14	24	2	-	-	-
Bigamy.....	3	-	2	1	-	-	-	-
Blackmail and extortion.....	6	-	3	2	1	-	-	-
Escape and jail break.....	5	-	5	-	-	-	-	-
Kidnaping.....	3	-	3	-	-	-	-	-
Perjury.....	3	-	1	2	-	-	-	-
Other offenses: ²								
Minor assault.....	31	-	-	11	15	5	-	-
Nonsupport or neglect.....	102	-	18	79	5	-	-	-
Violating liquor laws.....	167	-	-	21	38	108	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	5	-	-	2	2	1	-	-
Disorderly conduct and vagrancy..	4	-	-	2	-	2	-	-
Gambling.....	161	-	2	7	-	152	-	-
All other offenses.....	63	-	5	22	15	21	-	-

See footnotes 1 and 2 on first page.

October 4, 1941

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt. Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: MONTANA, 1940

The Bureau of the Census received from the clerks of court reports on 549 defendants charged with major offenses who were disposed of in the district courts of the 56 counties of Montana during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (82.5 percent) of the total of 549 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	549	100.0	375	100.0	345	100.0	586	100.0
Eliminated without conviction....	96	17.5	54	14.4	49	14.2	134	22.9
Dismissed.....	71	12.9	43	11.5	35	10.1	100	17.1
Acquitted by court(jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	21	3.8	10	2.7	14	4.1	28	4.8
Other no-penalty disposition...	4	0.7	1	0.3	-	-	6	1.0
Convicted.....	453	82.5	321	85.6	296	85.8	452	77.1
Plea of guilty.....	390	71.0	294	78.4	275	79.7	379	64.7
Court finds guilty(jury waived)	21	3.8	2	0.5	3	0.9	4	0.7
Jury verdict guilty.....	42	7.7	25	6.7	18	5.2	69	11.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	667	139	104	-	31	4	528	440	39	49
Major offenses, total ¹	549	96	71	-	21	4	453	390	21	42
Murder.....	8	3	-	-	2	1	5	1	1	3
Manslaughter.....	5	4	1	-	3	-	1	1	-	-
Robbery.....	31	8	7	-	1	-	23	22	-	1
Aggravated assault.....	30	7	3	-	4	-	23	20	1	2
Burglary.....	149	18	15	-	2	1	131	120	6	5
Larceny, except auto theft....	115	20	13	-	5	2	95	64	10	21
Auto theft.....	42	9	9	-	-	-	33	31	-	2
Embezzlement and fraud.....	7	3	3	-	-	-	4	3	-	1
Stolen property, receiving, etc.	28	2	1	-	1	-	26	21	-	5
Forgery and counterfeiting....	91	7	7	-	-	-	84	81	2	1
Rape.....	27	10	8	-	2	-	17	16	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	11	3	3	-	-	-	8	7	1	-
Violating drug laws.....	2	-	-	-	-	-	2	2	-	-
Carrying, etc., weapons.....	2	1	1	-	-	-	1	1	-	-
Other major offenses.....	1	1	-	-	1	-	-	-	-	-
Abortion.....	1	-	-	-	-	-	-	-	-	-
Arson.....	1	1	-	-	1	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: ²										
Minor assault.....	27	11	8	-	3	-	16	8	5	3
Nonsupport or neglect.....	1	1	1	-	-	-	-	-	-	-
Violating liquor laws.....	1	1	-	-	1	-	-	-	-	-
Driving while intoxicated.....	17	4	3	-	1	-	13	10	1	2
Other motor-vehicle laws.....	7	2	1	-	1	-	5	3	-	2
Disorderly conduct and vagrancy	6	2	2	-	-	-	4	3	1	-
Gambling.....	26	17	13	-	4	-	9	9	-	-
All other offenses.....	33	5	5	-	-	-	28	17	11	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 96.5 percent of the population of the State in 1937, 61.9 percent in 1938, 70.0 percent in 1939, and 100.0 percent in 1940.

(OVER)

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	453	100.0	321	100.0	296	100.0	452	100.0
Death penalty.....	-	-	1	0.3	1	0.3	-	-
State prisons or reformatories...	351	77.5	248	77.3	210	70.9	338	74.8
Probation or suspended sentence..	62	13.7	46	14.3	58	19.6	90	19.9
Local jails, workhouses, etc.....	24	5.3	13	4.0	22	7.4	15	3.3
Fine or costs only.....	5	1.1	6	1.9	1	0.3	4	0.9
Institutions for juveniles.....	11	2.4	7	2.2	4	1.4	5	1.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	528	-	358	77	36	30	25	2
Major offenses, total ¹	453	-	351	62	24	5	11	-
Murder.....	5	-	5	-	-	-	-	-
Manslaughter.....	1	-	1	-	-	-	-	-
Robbery.....	23	-	22	1	-	-	-	-
Aggravated assault.....	23	-	22	-	-	1	-	-
Burglary.....	131	-	96	33	-	-	2	-
Larceny, except auto theft.....	95	-	74	8	4	3	6	-
Auto theft.....	33	-	16	3	13	-	1	-
Embezzlement and fraud.....	4	-	2	2	-	-	-	-
Stolen property, receiving, etc..	26	-	20	1	4	1	-	-
Forgery and counterfeiting.....	84	-	73	11	-	-	-	-
Rape.....	17	-	13	3	-	-	1	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	8	-	7	-	-	-	1	-
Violating drug laws.....	2	-	-	-	2	-	-	-
Carrying, etc., weapons.....	1	-	-	-	1	-	-	-
Other major offenses.....	-	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	16	-	3	4	4	3	-	2
Nonsupport or neglect.....	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	13	-	2	2	4	5	-	-
Other motor-vehicle laws.....	5	-	-	3	1	1	-	-
Disorderly conduct and vagrancy..	4	-	-	1	1	1	1	-
Gambling.....	9	-	-	-	-	9	-	-
All other offenses.....	28	-	2	5	2	6	13	-

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NEW HAMPSHIRE, 1940

The Bureau of the Census received from the clerks of court reports on 432 defendants charged with major offenses, who were disposed of in the superior courts of the 10 counties of New Hampshire during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 8 (88.2 percent) of the total of 432 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	432	100.0	436	100.0	496	100.0	422	100.0
Eliminated without conviction....	51	11.8	99	22.7	108	21.8	65	15.4
Dismissed.....	38	8.8	86	19.7	80	16.1	49	11.6
Acquitted by court(jury waived)	1	0.2	-	-	2	0.4	-	-
Acquitted by jury.....	6	1.4	9	2.1	8	1.6	6	1.4
Other no-penalty disposition...	6	1.4	4	0.9	18	3.6	10	2.4
Convicted.....	381	88.2	337	77.3	388	78.2	357	84.6
Plea of guilty.....	368	85.2	334	76.6	353	71.2	331	78.4
Court finds guilty(jury waived)	1	0.2	-	-	3	0.6	3	0.7
Jury verdict guilty.....	12	2.8	3	0.7	32	6.5	23	5.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	506	72	58	1	6	7	434	416	1	17
Major offenses, total ¹	432	51	38	1	6	6	381	368	1	12
Murder.....	1	-	-	-	-	-	1	1	-	-
Manslaughter.....	2	1	1	-	-	-	1	1	-	-
Robbery.....	8	-	-	-	-	-	8	8	-	-
Aggravated assault.....	13	1	1	-	-	-	12	12	-	-
Burglary.....	90	4	3	-	-	1	86	82	-	4
Larceny, except auto theft....	98	6	5	-	1	-	92	89	1	2
Auto theft.....	24	3	3	-	-	-	21	21	-	-
Embezzlement and fraud.....	54	11	9	-	-	2	43	41	-	2
Stolen property, receiving, etc.	4	1	1	-	-	-	3	3	-	-
Forgery and counterfeiting....	20	2	2	-	-	-	18	18	-	-
Rape.....	27	7	6	-	1	-	20	19	-	1
Commercialized vice.....	1	-	-	-	-	-	1	1	-	-
Other sex offenses.....	50	6	3	1	2	-	44	43	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	1	-	-	1	-	2	2	-	-
Other major offenses.....	37	8	4	-	1	3	29	27	-	2
Abortion.....	3	2	2	-	-	-	1	1	-	-
Arson.....	28	6	2	-	1	3	22	20	-	2
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	3	-	-	-	-	-	3	3	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: ²										
Minor assault.....	4	2	1	-	-	1	2	1	-	1
Nonsupport or neglect.....	16	1	1	-	-	-	15	15	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	9	4	4	-	-	-	5	3	-	2
Other motor-vehicle laws.....	20	1	1	-	-	-	19	17	-	2
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling.....	1	-	-	-	-	-	1	1	-	-
All other offenses.....	23	12	12	-	-	-	11	11	-	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	381	100.0	337	100.0	388	100.0	357	100.0
Death penalty.....	-	-	-	-	-	-	1	0.3
State prisons or reformatories...	104	27.3	91	27.0	113	29.1	113	31.7
Probation or suspended sentence..	202	53.0	176	52.2	195	50.3	140	39.2
Local jails, workhouses, etc.....	66	17.3	55	16.3	70	18.0	83	23.2
Fine or costs only.....	8	2.1	12	3.6	8	2.1	15	4.2
Institutions for juveniles.....	1	0.3	3	0.9	1	0.3	4	1.1
Other sentences.....	-	-	-	-	1	0.3	1	0.3

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE:
NEW HAMPSHIRE, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	434	-	105	223	76	29	1	-
Major offenses, total ¹	381	-	104	202	66	8	1	-
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	1	-	-	-	1	-	-	-
Robbery.....	8	-	7	1	-	-	-	-
Aggravated assault.....	12	-	1	6	5	-	-	-
Burglary.....	86	-	23	48	14	1	-	-
Larceny, except auto theft.....	92	-	12	68	12	-	-	-
Auto theft.....	21	-	4	8	8	-	1	-
Embezzlement and fraud.....	43	-	8	26	9	-	-	-
Stolen property, receiving, etc..	3	-	-	1	1	1	-	-
Forgery and counterfeiting.....	18	-	7	10	1	-	-	-
Rape.....	20	-	13	5	2	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	44	-	12	17	10	5	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	2	-	-	1	1	-	-	-
Other major offenses.....	29	-	15	11	2	1	-	-
Abortion.....	1	-	-	1	-	-	-	-
Arson.....	22	-	12	8	1	1	-	-
Bigamy.....	2	-	1	-	1	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	3	-	1	2	-	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	2	-	-	1	1	-	-	-
Nonsupport or neglect.....	15	-	-	12	3	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	5	-	-	-	2	3	-	-
Other motor-vehicle laws.....	19	-	-	5	2	12	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	1	-	-	-	-	1	-	-
All other offenses.....	11	-	1	3	2	5	-	-

See footnotes 1 and 2 on first page.

February 6, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: NEW JERSEY, 1940

The Bureau of the Census received from the clerks of court reports on 7,250 defendants charged with major offenses who were disposed of in the trial courts in 20 of the 21 counties of New Jersey during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (76.1 percent) of the total of 7,250 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	7,250	100.0	5,870	100.0	6,104	100.0	5,260	100.0
Eliminated without conviction....	1,731	23.9	1,170	19.9	1,208	19.8	1,068	20.3
Dismissed.....	1,132	15.6	702	12.0	681	11.2	584	11.1
Acquitted by court(jury waived)	302	4.2	254	4.3	292	4.8	218	4.1
Acquitted by jury.....	185	2.6	188	3.2	201	3.3	229	4.4
Other no-penalty disposition...	112	1.5	26	0.4	34	0.6	37	0.7
Convicted.....	5,519	76.1	4,700	80.1	4,896	80.2	4,192	79.7
Plea of guilty.....	4,648	64.1	4,103	69.9	4,207	68.9	3,628	69.0
Court finds guilty(jury waived)	593	8.2	374	6.4	386	6.3	310	5.9
Jury verdict guilty.....	278	3.8	223	3.8	303	5.0	254	4.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	11,210	3,438	2,263	545	227	403	7,772	6,142	1,297	533
Major offenses, total ¹	7,250	1,731	1,132	302	185	112	5,519	4,648	593	278
Murder.....	51	16	2	1	13	-	35	22	1	12
Manslaughter.....	103	83	36	7	20	-	40	28	1	11
Robbery.....	400	71	38	25	8	-	329	275	23	31
Aggravated assault.....	743	286	162	80	38	6	457	333	94	30
Burglary.....	1,666	164	125	20	14	5	1,502	1,360	120	22
Larceny, except auto theft....	1,193	204	120	43	16	25	989	864	86	39
Auto theft.....	398	90	66	20	3	1	308	265	24	19
Embezzlement and fraud.....	956	376	261	31	19	65	580	470	94	16
Stolen property, receiving, etc.	152	50	28	15	5	2	102	84	11	7
Forgery and counterfeiting....	127	26	24	2	-	-	101	95	3	3
Rape.....	220	62	40	6	16	-	158	125	15	18
Commercialized vice.....	180	39	28	10	1	-	141	108	22	11
Other sex offenses.....	691	182	124	29	25	4	509	387	78	44
Violating drug laws.....	18	1	-	-	1	-	17	17	-	-
Carrying, etc., weapons.....	202	49	35	11	1	2	153	127	18	8
Other major offenses.....	150	52	43	2	5	2	98	88	3	7
Abortion.....	21	10	8	-	2	-	11	9	-	2
Arson.....	27	8	7	-	1	-	19	18	1	-
Bigamy.....	17	4	3	-	-	1	13	12	1	-
Blackmail and extortion.....	13	11	9	1	1	-	2	2	-	-
Escape and jail break.....	47	3	3	-	-	-	44	41	1	2
Kidnaping.....	1	1	-	-	1	-	-	-	-	-
Perjury.....	24	15	13	1	-	1	9	6	-	3
Other offenses: ²										
Minor assault.....	1,059	540	203	132	11	194	519	296	199	24
Nonsupport or neglect.....	657	179	155	17	6	1	478	320	154	4
Violating liquor laws.....	611	372	357	9	6	-	239	205	23	11
Driving while intoxicated.....	38	8	-	6	2	-	30	13	17	-
Other motor-vehicle laws.....	101	79	68	9	2	-	22	5	15	2
Disorderly conduct and vagrancy	433	105	46	12	-	47	328	122	206	-
Gambling.....	358	52	36	12	1	3	306	282	23	1
All other offenses.....	703	372	266	46	14	46	331	251	67	13

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 Census, reports cover 90.8 percent of the population in 1937, 100 percent in 1938 and 1939, and 98.3 percent in 1940. Reports were not received from Gloucester county for 1940.

all defendants by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	5,519	100.0	4,700	100.0	4,896	100.0	4,192	100.0
Death penalty.....	-	-	2	(¹)	-	-	4	0.1
State prisons or reformatories...	1,960	35.5	1,555	33.1	1,698	34.7	1,425	34.0
Probation or suspended sentence..	2,098	38.0	1,704	36.3	1,797	36.7	1,563	37.3
Local jails, workhouses, etc.....	1,053	19.1	944	20.1	1,044	21.3	920	21.9
Fine or costs only.....	341	6.2	402	8.6	308	6.3	190	4.5
Institutions for juveniles.....	51	0.9	80	1.7	33	0.7	75	1.8
Other sentences.....	16	0.3	13	0.3	16	0.3	15	0.4

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	7,772	-	2,064	3,272	1,531	813	75	17
Major offenses, total ¹	5,519	-	1,960	2,098	1,053	341	51	16
Murder.....	35	-	33	1	-	-	-	1
Manslaughter.....	40	-	12	8	13	7	-	-
Robbery.....	329	-	246	40	38	3	1	1
Aggravated assault.....	457	-	101	156	168	32	-	-
Burglary.....	1,502	-	741	506	182	51	15	7
Larceny, except auto theft.....	989	-	249	463	201	49	24	3
Auto theft.....	308	-	115	132	43	13	3	1
Embezzlement and fraud.....	580	-	67	366	106	40	-	1
Stolen property, receiving, etc..	102	-	14	57	14	16	1	-
Forgery and counterfeiting.....	101	-	35	36	20	8	-	2
Rape.....	158	-	76	40	22	18	2	-
Commercialized vice.....	141	-	48	25	38	20	-	-
Other sex offenses.....	509	-	119	196	130	61	3	-
Violating drug laws.....	17	-	13	-	3	1	-	-
Carrying, etc., weapons.....	153	-	42	47	47	16	1	-
Other major offenses.....	98	-	49	14	28	6	1	-
Abortion.....	11	-	2	3	4	2	-	-
Arson.....	19	-	8	5	5	-	1	-
Bigamy.....	13	-	5	2	6	-	-	-
Blackmail and extortion.....	2	-	-	-	-	2	-	-
Escape and jail break.....	44	-	32	1	11	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	9	-	2	3	2	2	-	-
Other offenses: ²								
Minor assault.....	519	-	52	233	170	63	1	-
Nonsupport or neglect.....	473	-	14	345	35	83	-	1
Violating liquor laws.....	239	-	9	72	72	86	-	-
Driving while intoxicated.....	30	-	-	-	12	18	-	-
Other motor-vehicle laws.....	22	-	1	4	1	16	-	-
Disorderly conduct and vagrancy..	328	-	-	182	92	54	-	-
Gambling.....	306	-	6	190	48	62	-	-
All other offenses.....	331	-	22	148	48	90	23	-

See footnotes 1 and 2 on first page.

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U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: NEW MEXICO, 1940

The Bureau of the Census received from the clerks of court reports on 969 defendants charged with major offenses who were disposed of in the district courts of the 31 counties of New Mexico during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 10 (70.7 percent) of the total of 969 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	969	100.0	1,008	100.0	955	100.0	838	100.0
Eliminated without conviction....	284	29.3	280	27.8	238	24.9	205	24.5
Dismissed.....	223	23.0	237	23.5	183	19.2	143	17.1
Acquitted by court(jury waived)	9	0.9	4	0.4	1	0.1	-	-
Acquitted by jury.....	36	3.7	39	3.9	51	5.3	57	6.8
Other no-penalty disposition....	16	1.7	-	-	3	0.3	5	0.6
Convicted.....	685	70.7	728	72.2	717	75.1	633	75.5
Plea of guilty.....	615	63.5	661	65.6	622	65.1	528	63.0
Court finds guilty(jury waived)	25	2.6	5	0.5	33	3.5	19	2.3
Jury verdict guilty.....	45	4.6	62	6.2	62	6.5	86	10.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,482	466	371	17	49	29	1,016	908	44	64
Major offenses, total ¹	969	284	223	9	36	16	685	615	25	45
Murder.....	27	9	-	-	9	-	18	10	-	8
Manslaughter.....	23	5	3	-	1	1	18	13	1	4
Robbery.....	32	5	5	-	-	-	27	24	1	2
Aggravated assault.....	100	48	38	2	8	-	52	44	1	7
Burglary.....	90	12	12	-	-	-	78	71	5	2
Larceny, except auto theft....	296	97	79	1	9	8	199	183	10	6
Auto theft.....	43	6	2	1	-	3	37	33	-	4
Embezzlement and fraud.....	79	23	20	1	1	1	56	52	1	3
Stolen property, receiving, etc.	28	11	11	-	-	-	17	16	-	1
Forgery and counterfeiting....	127	26	24	1	1	-	101	99	2	-
Rape.....	40	15	13	-	2	-	25	20	-	5
Commercialized vice.....	5	2	-	2	-	-	3	2	1	-
Other sex offenses.....	30	11	10	1	-	-	19	18	-	1
Violating drug laws.....	6	1	-	-	1	-	5	5	-	-
Carrying, etc., weapons.....	17	3	3	-	-	-	14	11	3	-
Other major offenses.....	26	10	9	-	4	3	16	14	-	2
Abortion.....	1	1	1	-	-	-	-	-	-	-
Arson.....	8	3	2	-	1	-	5	5	-	-
Bigamy.....	5	-	-	-	-	-	5	5	-	-
Blackmail and extortion.....	3	3	-	-	1	2	-	-	-	-
Escape and jail break.....	6	1	-	-	-	1	5	3	-	2
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	2	2	-	-	2	-	-	-	-	-
Other offenses: ²										
Minor assault.....	54	17	15	-	1	1	37	32	1	4
Nonsupport or neglect.....	11	6	5	-	1	-	5	4	1	-
Violating liquor laws.....	44	24	18	-	3	3	20	15	-	5
Driving while intoxicated.....	153	11	10	-	1	-	142	134	4	4
Other motor-vehicle laws.....	62	24	21	2	1	-	38	36	-	2
Disorderly conduct and vagrancy	7	7	2	-	-	5	-	-	-	-
Gambling.....	19	6	5	1	-	-	13	13	-	-
All other offenses.....	163	87	72	5	6	4	76	59	13	4

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 100 percent in 1940, and 98.0 percent in 1939, 1938, and 1937.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	685	100.0	728	100.0	717	100.0	633	100.0
Death penalty.....	-	-	1	0.1	4	0.6	3	0.5
State prisons or reformatories...	360	52.6	377	51.8	389	54.3	404	63.8
Probation or suspended sentence..	237	34.6	276	37.9	248	34.6	154	24.3
Local jails, workhouses, etc.....	47	6.9	40	5.5	39	5.4	38	6.0
Fine or costs only.....	13	1.9	24	3.3	14	2.0	29	4.6
Institutions for juveniles.....	28	4.1	10	1.4	23	3.2	5	0.8
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,016	-	375	387	154	65	35	-
Major offenses, total ¹	685	-	360	237	47	13	28	-
Murder.....	18	-	18	-	-	-	-	-
Manslaughter.....	18	-	12	6	-	-	-	-
Robbery.....	27	-	24	3	-	-	-	-
Aggravated assault.....	52	-	25	15	7	4	1	-
Burglary.....	78	-	52	19	2	-	5	-
Larceny, except auto theft.....	199	-	76	84	18	6	15	-
Auto theft.....	37	-	20	11	5	1	-	-
Embezzlement and fraud.....	56	-	43	12	-	1	-	-
Stolen property, receiving, etc..	17	-	3	8	2	-	4	-
Forgery and counterfeiting.....	101	-	49	50	2	-	-	-
Rape.....	25	-	16	7	1	1	1	-
Commercialized vice.....	3	-	-	2	-	-	1	-
Other sex offenses.....	19	-	7	7	4	-	1	-
Violating drug laws.....	5	-	1	3	1	-	-	-
Carrying, etc., weapons.....	14	-	3	6	4	1	-	-
Other major offenses.....	16	-	11	4	1	-	-	-
Abortion.....	-	-	-	-	1	-	-	-
Arson.....	5	-	1	4	-	-	-	-
Bigamy.....	5	-	5	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	4	-	1	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	37	-	-	16	13	7	1	-
Nonsupport or neglect.....	5	-	1	3	1	-	-	-
Violating liquor laws.....	20	-	-	8	10	2	-	-
Driving while intoxicated.....	142	-	2	62	61	17	-	-
Other motor-vehicle laws.....	38	-	1	17	10	10	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	13	-	-	2	3	8	-	-
All other offenses.....	76	-	11	42	9	8	6	-

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE

Jesse H. Jones, Secretary

BUREAU OF THE CENSUS

J. C. Capt. Director

WASHINGTON

JUDICIAL CRIMINAL STATISTICS: NEW YORK, 1940

The Bureau of the Census received from the New York State Department of Correction reports on 10,797 defendants charged with major offenses who were disposed of in trial courts of the 62 counties (including the five counties that are boroughs of New York City) of New York during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of 10 (72.6 percent) of the total of 10,797 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	10,797	100.0	10,153	100.0	10,687	100.0	10,316	100.0
Eliminated without conviction....	2,963	27.4	2,229	22.0	2,884	27.0	2,556	24.8
Dismissed.....	1,413	13.1	1,332	13.1	1,986	18.6	1,659	16.1
Acquitted by court(jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	510	4.7	573	5.6	765	7.2	897	8.7
Other no-penalty disposition....	1,040	9.6	324	3.2	133	1.2	-	-
Convicted.....	7,834	72.6	7,924	78.0	7,803	73.0	7,760	75.2
Plea of guilty.....	(¹)	(¹)	7,121	70.1	6,955	65.1	6,904	66.9
Court finds guilty(jury waived)	-	-	-	-	-	-	-	-
Jury verdict guilty.....	(¹)	(¹)	803	7.9	848	7.9	856	8.3

¹Data not available.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	12,585	3,338	1,599	-	521	1,218	9,247	8,447	-	800
Major offenses, total ¹	10,797	2,963	1,413	-	510	1,040	7,834	(*)	-	(*)
Murder.....	146	61	11	-	12	38	85	(*)	-	(*)
Manslaughter.....	210	61	20	-	33	8	149	(*)	-	(*)
Robbery.....	1,179	479	165	-	93	221	700	(*)	-	(*)
Aggravated assault.....	787	303	105	-	102	96	484	(*)	-	(*)
Burglary.....	2,359	476	248	-	59	169	1,883	(*)	-	(*)
Larceny, except auto theft....	2,799	505	269	-	54	182	2,294	(*)	-	(*)
Auto theft.....	789	124	77	-	14	33	665	(*)	-	(*)
Embezzlement and fraud.....	30	20	4	-	3	13	10	(*)	-	(*)
Stolen property, receiving, etc.	221	107	63	-	29	15	114	(*)	-	(*)
Forgery and counterfeiting....	505	139	83	-	10	46	366	(*)	-	(*)
Rape.....	433	190	91	-	36	63	243	(*)	-	(*)
Commercialized vice.....	15	2	-	-	1	-	12	(*)	-	(*)
Other sex offenses.....	287	100	47	-	20	33	187	(*)	-	(*)
Violating drug laws.....	57	4	3	-	-	1	53	(*)	-	(*)
Carrying, etc., weapons.....	389	96	55	-	15	26	293	(*)	-	(*)
Other major offenses.....	591	295	170	-	29	96	296	(*)	-	(*)
Abortion.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Arson.....	109	38	26	-	1	11	71	(*)	-	(*)
Bigamy.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Blackmail and extortion.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Escape and jail break.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Kidnaping.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Perjury.....	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	-	(*)
Other offenses: ²										
Minor assault.....	580	-	-	-	-	-	580	(*)	-	(*)
Nonsupport or neglect.....	510	212	84	-	1	127	298	(*)	-	(*)
Violating liquor laws.....	1	-	-	-	-	-	1	(*)	-	(*)
Driving while intoxicated.....	77	9	6	-	2	1	68	(*)	-	(*)
Other motor-vehicle laws.....	12	-	-	-	-	-	12	(*)	-	(*)
Disorderly conduct and vagrancy	7	-	-	-	-	-	7	(*)	-	(*)
Gambling.....	95	-	-	-	-	-	95	(*)	-	(*)
All other offenses.....	506	154	96	-	8	50	352	(*)	-	(*)

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

³Not returned separately. Offenses reported as "other felonies" and malicious mischief(felony)are included in other major felonies. ⁴Data not available by offense.

Note.—The following five counties reported in part in 1939: Erie, Essex, Lewis, Niagara, and Suffolk.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	7,834	100.0	7,924	100.0	7,803	100.0	7,760	100.0
Death penalty.....	24	0.3	23	0.3	20	0.3	18	0.2
State prisons or reformatories...	3,203	40.9	3,338	42.1	3,400	43.6	3,317	42.7
Probation or suspended sentence..	2,845	36.3	2,772	35.0	2,633	33.7	2,465	31.8
Local jails, workhouses, etc.....	1,719	21.9	1,729	21.8	1,699	21.8	1,877	24.2
Fine or costs only.....	29	0.4	55	0.7	20	0.3	40	0.5
Institutions for juveniles.....	-	-	-	-	-	-	-	-
Other sentences.....	14	0.2	7	0.1	31	0.4	43	0.6

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	9,247	24	3,263	3,624	2,244	75	-	17
Major offenses, total ¹	7,834	24	3,203	2,845	1,719	29	-	14
Murder.....	85	24	58	2	1	-	-	-
Manslaughter.....	149	-	119	19	11	-	-	-
Robbery.....	700	-	639	51	9	-	-	1
Aggravated assault.....	484	-	281	94	106	3	-	-
Burglary.....	1,883	-	701	719	457	2	-	4
Larceny, except auto theft.....	2,294	-	561	1,076	651	4	-	2
Auto theft.....	665	-	176	324	164	-	-	1
Embezzlement and fraud.....	10	-	2	6	2	-	-	-
Stolen property, receiving, etc..	114	-	28	57	23	4	-	2
Forgery and counterfeiting.....	366	-	160	151	51	2	-	2
Rape.....	243	-	97	95	51	-	-	-
Commercialized vice.....	12	-	6	3	3	-	-	-
Other sex offenses.....	187	-	116	38	31	-	-	2
Violating drug laws.....	53	-	20	4	27	2	-	-
Carrying, etc., weapons.....	293	-	87	114	85	7	-	-
Other major offenses.....	296	-	152	92	47	5	-	-
Abortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Arson.....	71	-	48	15	8	-	-	-
Bigamy.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Blackmail and extortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Escape and jail break.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Kidnaping.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Perjury.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Other offenses: ²								
Minor assault.....	580	-	16	279	282	3	-	-
Nonsupport or neglect.....	298	-	28	179	88	1	-	2
Violating liquor laws.....	1	-	-	-	-	1	-	-
Driving while intoxicated.....	68	-	5	16	45	2	-	-
Other motor-vehicle laws.....	12	-	-	7	4	1	-	-
Disorderly conduct and vagrancy..	7	-	-	5	2	-	-	-
Gambling.....	95	-	3	67	18	7	-	-
All other offenses.....	352	-	8	226	86	31	-	1

See footnotes 1, 2, and 3 on first page.

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt. Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: NORTH DAKOTA, 1940

The Bureau of the Census received from the clerks of court reports on 481 defendants charged with major offenses who were disposed of in district courts in 45 of the 53 counties of North Dakota during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of 10 (88.6 percent) of the total of 481 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	481	100.0	584	100.0	533	100.0	536	100.0
Eliminated without conviction....	55	11.4	79	13.5	93	17.4	109	20.3
Dismissed.....	42	8.7	60	10.3	78	14.6	92	17.2
Acquitted by court(jury waived)	2	0.4	1	0.2	-	-	-	-
Acquitted by jury.....	9	1.9	9	1.5	12	2.3	15	2.8
Other no-penalty disposition...	2	0.4	9	1.5	3	0.6	2	0.4
Convicted.....	426	88.6	505	86.5	440	82.6	427	79.7
Plea of guilty.....	400	83.2	480	82.2	414	77.7	396	73.9
Court finds guilty(jury waived)	-	-	3	0.5	10	1.9	3	0.6
Jury verdict guilty.....	26	5.4	22	3.8	16	3.0	28	5.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NORTH DAKOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	811	121	100	3	16	2	690	651	5	34
Major offenses, total ¹	481	55	42	2	9	2	426	400	-	26
Murder.....	3	1	-	-	1	-	2	2	-	-
Manslaughter.....	3	-	-	-	-	-	3	1	-	2
Robbery.....	11	1	1	-	-	-	10	8	-	2
Aggravated assault.....	18	4	2	2	-	-	14	12	-	2
Burglary.....	90	1	1	-	-	-	89	87	-	2
Larceny, except auto theft....	131	9	7	-	2	-	122	115	-	7
Auto theft.....	16	1	-	-	-	1	15	15	-	-
Embezzlement and fraud.....	54	7	6	-	1	-	47	46	-	1
Stolen property, receiving, etc.	8	1	1	-	-	-	7	5	-	2
Forgery and counterfeiting....	44	2	2	-	-	-	42	42	-	-
Rape.....	25	5	4	-	1	-	20	19	-	1
Commercialized vice.....	5	3	2	-	1	-	2	2	-	-
Other sex offenses.....	51	18	14	-	3	1	33	28	-	5
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	6	-	-	-	-	-	6	6	-	-
Other major offenses.....	16	2	2	-	-	-	14	12	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	6	-	-	-	-	-	6	5	-	1
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-
Escape and jail break.....	6	-	-	-	-	-	6	5	-	1
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	2	1	1	-	-	-	1	1	-	-
Other offenses: ²										
Minor assault.....	13	8	8	-	-	-	5	3	-	2
Nonsupport or neglect.....	39	18	17	-	1	-	21	20	-	1
Violating liquor laws.....	23	7	7	-	-	-	16	15	-	1
Driving while intoxicated.....	137	5	5	-	-	-	132	128	2	2
Other motor-vehicle laws.....	15	4	3	-	1	-	11	11	-	-
Disorderly conduct and vagrancy	6	-	-	-	-	-	6	4	-	2
Gambling.....	8	1	1	-	-	-	7	7	-	-
All other offenses.....	89	23	17	1	5	-	66	63	3	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 98.5 percent of the population in 1937; 93.8 percent in 1938; 98.5 percent in 1939; and 89 percent in 1940. The following counties did not submit 1940 reports: Hettinger, La Moure, Mercer, Sargent, Steele, Towner, and Traill. The Nelson County report on 11 defendants was omitted because the data were not complete.

(OVER)

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	426	100.0	505	100.0	440	100.0	427	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	262	61.5	270	53.5	228	51.8	219	51.3
Probation or suspended sentence..	50	11.7	71	14.1	55	12.5	53	12.4
Local jails, workhouses, etc.....	77	18.1	108	21.4	108	24.5	118	27.6
Fine or costs only.....	8	1.9	22	4.4	10	2.3	13	3.0
Institutions for juveniles.....	29	6.8	34	6.7	39	8.9	24	5.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: NORTH DAKOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentence
All offenses.....	690	-	277	125	204	51	33	
Major offenses, total ¹	426	-	262	50	77	8	29	
Murder.....	2	-	2	-	-	-	-	
Manslaughter.....	3	-	2	-	-	1	-	
Robbery.....	10	-	8	1	-	-	1	
Aggravated assault.....	14	-	8	1	5	-	-	
Burglary.....	39	-	66	8	8	-	7	
Larceny, except auto theft.....	122	-	61	14	40	2	5	
Auto theft.....	15	-	10	-	1	-	4	
Embezzlement and fraud.....	47	-	23	12	7	1	4	
Stolen property, receiving, etc..	7	-	3	2	-	-	2	
Forgery and counterfeiting.....	42	-	28	6	7	-	1	
Rape.....	20	-	15	-	-	-	5	
Commercialized vice.....	2	-	-	-	2	-	-	
Other sex offenses.....	33	-	21	4	6	2	-	
Violating drug laws.....	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	6	-	3	-	1	2	-	
Other major offenses.....	14	-	12	2	-	-	-	
Abortion.....	-	-	-	-	-	-	-	
Arson.....	6	-	5	1	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	
Escape and jail break.....	6	-	5	1	-	-	-	
Kidnaping.....	1	-	1	-	-	-	-	
Perjury.....	1	-	1	-	-	-	-	
Other offenses: ²								
Minor assault.....	5	-	-	2	1	2	-	
Nonsupport or neglect.....	21	-	10	11	-	-	-	
Violating liquor laws.....	16	-	-	2	10	4	-	
Driving while intoxicated.....	132	-	-	25	98	9	-	
Other motor-vehicle laws.....	11	-	-	6	4	1	-	
Disorderly conduct and vagrancy..	6	-	-	-	5	1	-	
Gambling.....	7	-	-	-	1	6	-	
All other offenses.....	66	-	5	29	8	20	4	

See footnotes 1 and 2 on first page.

January 24, 1942
Revised January 27, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: OHIO, 1940

The Bureau of the Census, acting in collaboration with the office of the Secretary of State of Ohio, received from the clerks of court reports on 5,320 defendants charged with major offenses who were disposed of in the common pleas courts in

the 88 counties of Ohio during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (83.7 per-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,320	100.0	5,526	100.0	6,459	100.0	6,010	100.0
Eliminated without conviction....	867	16.3	925	16.7	997	15.4	1,153	19.2
Dismissed.....	620	11.7	668	12.1	682	10.6	796	13.2
Acquitted by court(jury waived)	82	1.5	92	1.7	83	1.3	129	2.1
Acquitted by jury.....	117	2.2	123	2.2	179	2.8	158	2.6
Other no-penalty disposition...	48	0.9	41	0.7	53	0.8	70	1.2
Convicted.....	4,453	83.7	4,611	83.3	5,462	84.6	4,857	80.8
Plea of guilty.....	3,959	74.4	4,070	73.5	4,737	73.3	4,152	69.1
Court finds guilty(jury waived)	223	4.2	236	4.3	253	3.9	300	5.0
Jury verdict guilty.....	271	5.1	305	5.5	472	7.3	405	6.7

TABLE 2.—DISPOSITION OF DEFENDENTS IN CRIMINAL CASES IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	7,450	1,476	1,162	115	146	53	5,974	5,338	311	325
Major offenses, total ¹	5,320	867	620	82	117	48	4,453	3,959	223	271
Murder.....	73	21	6	4	7	4	52	19	8	25
Manslaughter.....	181	39	18	6	14	1	142	106	13	23
Robbery.....	592	93	59	14	17	3	499	417	31	51
Aggravated assault.....	271	61	34	7	15	5	210	162	30	18
Burglary.....	1,473	183	124	20	26	13	1,290	1,189	51	50
Larceny, except auto theft....	692	74	59	6	8	1	618	562	18	38
Auto theft.....	540	54	45	2	5	2	486	461	16	9
Embezzlement and fraud.....	318	101	90	2	6	3	217	202	7	8
Stolen property, receiving, etc.	106	21	16	1	4	-	85	75	3	7
Forgery and counterfeiting....	504	96	87	1	2	6	408	392	10	6
Rape.....	150	48	29	10	5	4	102	69	11	22
Commercialized vice.....	46	8	8	-	-	-	38	36	1	1
Other sex offenses.....	119	21	15	2	1	3	98	77	17	4
Violating drug laws.....	25	3	2	1	-	-	22	20	2	-
Carrying, etc., weapons.....	132	18	10	5	1	2	114	110	1	3
Other major offenses.....	98	26	18	1	6	1	72	62	4	6
Abortion.....	7	2	2	-	-	-	5	2	-	3
Arson.....	42	9	3	1	4	1	33	33	-	-
Bigamy.....	14	3	3	-	-	-	11	11	-	-
Blackmail and extortion.....	8	1	1	-	-	-	7	3	2	2
Escape and jail break.....	11	5	5	-	-	-	6	6	-	-
Kidnaping.....	4	1	1	-	-	-	3	3	-	-
Perjury.....	12	5	3	-	2	-	7	4	2	1
Other offenses: ²										
Minor assault.....	372	83	76	4	3	-	289	236	36	17
Nonsupport or neglect.....	599	275	263	10	2	-	324	291	22	11
Violating liquor laws.....	192	42	39	1	1	1	150	143	5	2
Driving while intoxicated.....	411	35	28	-	6	1	376	365	7	4
Other motor-vehicle laws.....	223	74	57	9	8	-	149	138	8	3
Disorderly conduct and vagrancy	50	14	13	1	-	-	36	31	3	2
Gambling.....	79	26	22	1	-	3	53	53	-	-
All other offenses.....	204	60	44	7	9	-	144	122	7	15

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 97.4 percent of the population in 1937, 99.8 percent in 1938, and 100 percent in 1939 and 1940.

cent) of the total of 5,320 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on

those convicted of major offenses during each of the last 4 years

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	4,453	100.0	4,611	100.0	5,462	100.0	4,857	100.0
Death penalty.....	7	0.2	1	(a)	18	0.3	3	0.1
State prisons or reformatories...	2,083	46.8	2,093	45.4	2,506	45.9	2,279	46.9
Probation or suspended sentence...	1,880	42.2	2,001	43.4	2,297	42.1	1,932	39.8
Local jails, workhouses, etc.....	295	6.6	379	8.2	468	8.6	427	8.8
Fine or costs only.....	188	4.2	137	3.0	173	3.2	212	4.4
Institutions for juveniles....	-	-	-	-	-	-	4	0.1
Other sentences.....	-	-	-	-	-	-	-	-

(a) Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	5,974	7	2,147	2,365	327	327	-	1
Major offenses, total ¹	4,453	7	2,083	1,880	295	188	-	-
Murder.....	52	7	45	-	-	-	-	-
Manslaughter.....	142	-	64	52	15	11	-	-
Robbery.....	499	-	388	111	-	-	-	-
Aggravated assault.....	210	-	91	107	5	7	-	-
Burglary.....	1,290	-	644	626	18	2	-	-
Larceny, except auto theft.....	618	-	152	268	139	59	-	-
Auto theft.....	486	-	223	246	4	3	-	-
Embezzlement and fraud.....	217	-	55	127	22	13	-	-
Stolen property, receiving, etc..	85	-	15	44	17	9	-	-
Forgery and counterfeiting.....	408	-	193	182	9	24	-	-
Rape.....	102	-	63	23	15	1	-	-
Commercialized vice.....	38	-	3	2	1	32	-	-
Other sex offenses.....	98	-	62	18	9	9	-	-
Violating drug laws.....	22	-	7	6	7	2	-	-
Carrying, etc., weapons.....	114	-	23	45	32	14	-	-
Other major offenses.....	72	-	45	23	2	2	-	-
Abortion.....	5	-	4	1	-	-	-	-
Arson.....	33	-	26	7	-	-	-	-
Bigamy.....	11	-	4	7	-	-	-	-
Blackmail and extortion.....	7	-	3	4	-	-	-	-
Escape and jail break.....	6	-	1	1	2	2	-	-
Kidnaping.....	3	-	3	-	-	-	-	-
Perjury.....	7	-	4	3	-	-	-	-
Other offenses: ²								
Minor assault.....	289	-	-	67	156	65	-	1
Nonsupport or neglect.....	324	-	41	271	6	6	-	-
Violating liquor laws.....	150	-	-	12	36	102	-	-
Driving while intoxicated.....	376	-	-	51	101	224	-	-
Other motor-vehicle laws.....	149	-	1	30	10	108	-	-
Disorderly conduct and vagrancy..	36	-	-	4	2	30	-	-
Gambling.....	53	-	-	3	2	48	-	-
All other offenses.....	144	-	22	47	19	56	-	-

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: OREGON, 1940

The Bureau of the Census received from the clerks of court reports on 1,115 defendants charged with major offenses who were disposed of in the 36 circuit courts of Oregon during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940, 7 out of every 8 (87.5) of the total of 1,115 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,115	100.0	1,136	100.0	1,089	100.0	832	100.0
Eliminated without conviction....	139	12.5	193	17.0	127	11.7	101	12.1
Dismissed.....	106	9.5	150	13.2	94	8.6	60	7.2
Acquitted by court(jury waived)	1	0.1	3	0.3	3	0.3	-	-
Acquitted by jury.....	25	2.2	32	2.8	27	2.5	35	4.2
Other no-penalty disposition...	7	0.6	8	0.7	3	0.3	6	0.7
Convicted.....	976	87.5	943	83.0	962	88.3	731	87.9
Plea of guilty.....	904	81.1	891	78.4	891	81.8	683	82.1
Court finds guilty(jury waived)	7	0.6	7	0.6	4	0.4	5	0.6
Jury verdict guilty.....	65	5.8	45	4.0	67	6.2	43	5.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,358	206	153	1	38	14	1,152	1,058	9	85
Major offenses, total ¹	1,115	139	106	1	25	7	976	904	7	65
Murder.....	10	2	-	-	1	1	8	3	1	4
Manslaughter.....	17	7	4	-	3	-	10	6	-	4
Robbery.....	30	5	4	-	1	-	25	22	-	3
Aggravated assault.....	36	7	5	-	2	-	29	24	1	4
Burglary.....	185	19	16	-	2	1	166	157	1	8
Larceny, except auto theft.....	263	26	24	-	1	1	237	222	1	14
Auto theft.....	91	10	9	-	1	-	81	77	1	3
Embezzlement and fraud.....	153	14	9	1	4	-	139	133	-	6
Stolen property, receiving, etc..	34	3	3	-	-	-	31	28	-	3
Forgery and counterfeiting.....	161	15	9	-	3	3	146	142	1	3
Rape.....	43	15	12	-	3	-	28	22	1	5
Commercialized vice.....	6	1	1	-	-	-	5	3	-	2
Other sex offenses.....	53	7	6	-	1	-	46	43	-	3
Violating drug laws.....	1	-	-	-	-	-	1	-	-	1
Carrying, etc., weapons.....	9	2	2	-	-	-	7	7	-	-
Other major offenses.....	23	6	2	-	3	1	17	15	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	12	3	-	-	2	1	9	8	-	1
Bigamy.....	3	1	1	-	-	-	2	2	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	-	-	4	4	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	3	1	-	-	1	-	2	1	-	1
Other offenses: ²										
Minor assault.....	31	6	5	-	1	-	25	20	-	5
Nonsupport or neglect.....	48	7	7	-	-	-	41	38	1	2
Violating liquor laws.....	24	16	6	-	5	5	8	4	-	4
Driving while intoxicated.....	19	4	2	-	-	2	15	12	-	3
Other motor-vehicle laws.....	9	1	-	-	1	-	8	5	1	2
Disorderly conduct and vagrancy..	4	-	-	-	-	-	4	4	-	-
Gambling.....	41	21	21	-	-	-	20	19	-	1
All other offenses.....	67	12	6	-	6	-	55	52	-	3

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 57.3 percent of the population of the State in 1937, 90.9 percent in 1938, 88.0 percent in 1939, and 100.0 percent in 1940.

(OVER)

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	976	100.0	943	100.0	962	100.0	731	100.0
Death penalty.....	2	0.2	-	-	1	0.1	-	-
State prisons or reformatories...	502	51.4	437	46.3	430	44.7	348	47.6
Probation or suspended sentence..	326	33.4	342	36.3	355	36.9	283	38.7
Local jails, workhouses, etc.....	132	13.5	145	15.4	157	16.3	85	11.6
Fine or costs only.....	12	1.2	8	0.8	14	1.5	13	1.8
Institutions for juveniles.....	2	0.2	9	1.0	5	0.5	2	0.3
Other sentences.....	-	-	2	0.2	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE:
OREGON, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,152	2	517	414	172	42	5	-
Major offenses, total ¹	976	2	502	328	132	12	2	-
Murder.....	8	2	6	-	-	-	-	-
Manslaughter.....	10	-	8	2	-	-	-	-
Robbery.....	25	-	19	6	-	-	-	-
Aggravated assault.....	29	-	20	6	2	1	-	-
Burglary.....	166	-	100	47	18	-	1	-
Larceny, except auto theft.....	237	-	111	87	37	2	-	-
Auto theft.....	81	-	33	26	22	-	-	-
Embezzlement and fraud.....	139	-	70	48	20	1	-	-
Stolen property, receiving, etc..	31	-	6	14	11	-	-	-
Forgery and counterfeiting.....	146	-	81	58	6	1	-	-
Rape.....	28	-	19	8	-	-	1	-
Commercialized vice.....	5	-	2	-	-	3	-	-
Other sex offenses.....	46	-	21	12	10	3	-	-
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	7	-	1	5	1	-	-	-
Other major offenses.....	17	-	5	7	4	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	9	-	5	4	-	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	3	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	1	1	-	-	-
Other offenses: ²								
Minor assault.....	25	-	-	10	11	4	-	-
Nonsupport or neglect.....	41	-	2	36	3	-	-	-
Violating liquor laws.....	8	-	-	2	3	3	-	-
Driving while intoxicated.....	15	-	-	5	7	2	1	-
Other motor-vehicle laws.....	8	-	1	2	3	1	1	-
Disorderly conduct and vagrancy..	4	-	-	3	-	-	1	-
Gambling.....	20	-	-	3	-	17	-	-
All other offenses.....	55	-	12	27	13	3	-	-

See footnotes 1 and 2 on first page.

May 23, 1941

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: PENNSYLVANIA, 1940

The Bureau of the Census received from the Department of Welfare at Harrisburg data on 17,278 defendants charged with major offenses who were disposed of in trial courts in 66 of the 67 counties of Pennsylvania during the calendar year 1940.

Juniata County, reporting a total of 44 cases for 1940, is omitted because the offense and disposition break-downs were not available in form comparable with that of other counties.
Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	17,278	100.0	19,937	100.0	24,548	100.0	22,603	100.0
Eliminated without conviction....	4,950	28.6	5,779	29.0	6,255	25.5	6,699	29.6
Dismissed.....	1,778	10.3	2,299	11.5	2,259	9.2	2,684	11.9
Acquitted by court(jury waived)	687	4.0	770	3.9	409	1.7	145	0.6
Acquitted by jury.....	1,835	10.6	2,151	10.8	3,348	13.6	3,602	15.9
Other no-penalty disposition...	650	3.8	559	2.8	239	1.0	268	1.2
Convicted.....	12,328	71.4	14,158	71.0	18,293	74.5	15,904	70.4
Plea of guilty.....	9,463	54.8	10,946	54.9	11,252	45.8	9,799	43.4
Court finds guilty(jury waived)	1,131	6.5	1,084	5.4	514	2.1	457	2.0
Jury verdict guilty.....	1,734	10.0	2,128	10.7	6,527	26.6	5,648	25.0

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	38,180	11,464	4,767	1,953	3,463	1,281	26,716	18,006	5,875	2,835
Major offenses, total ¹	17,278	4,950	1,778	687	1,835	650	12,328	9,463	1,131	1,734
Murder.....	169	63	6	1	38	18	106	62	3	41
Manslaughter.....	391	235	72	20	93	50	156	105	5	46
Robbery.....	1,076	271	48	18	169	36	805	556	27	222
Aggravated assault.....	2,093	952	324	171	368	89	1,141	626	238	277
Burglary.....	2,973	422	89	56	189	88	2,551	2,213	98	240
Larceny, except auto theft....	3,449	739	311	127	265	86	2,660	2,215	247	198
Auto theft.....	610	121	29	14	54	24	489	406	33	50
Embezzlement and fraud.....	1,470	571	304	70	143	54	899	779	62	58
Stolen property, receiving, etc.	540	227	53	40	85	49	313	206	38	69
Forgery and counterfeiting....	522	110	64	11	19	16	412	373	12	27
Rape.....	544	232	97	6	110	19	312	171	25	116
Commercialized vice.....	621	176	37	43	53	43	445	285	105	55
Other sex offenses.....	1,767	517	268	50	149	50	1,250	912	115	223
Violating drug laws.....	161	15	2	-	5	8	146	102	10	34
Carrying, etc., weapons.....	586	154	38	48	60	18	422	298	71	53
Other major offenses.....	306	85	36	12	35	2	221	154	42	25
Abortion.....	32	9	2	1	6	-	23	13	3	7
Arson.....	75	25	10	1	13	1	50	40	1	9
Bigamy.....	21	5	3	-	2	-	16	14	-	2
Blackmail and extortion.....	25	15	3	6	6	-	10	5	1	4
Escape and jail break.....	75	2	-	-	2	-	73	70	-	3
Kidnaping.....	2	1	-	-	-	1	1	1	-	-
Perjury.....	76	28	18	4	6	-	48	11	37	-
Other offenses: ²										
Minor assault.....	1,665	921	450	140	229	102	744	445	142	157
Nonsupport or neglect.....	4,845	991	821	66	9	95	3,854	992	2,843	14
Violating liquor laws.....	1,959	509	151	136	149	73	1,450	1,112	208	130
Driving while intoxicated.....	3,412	837	65	169	583	20	2,575	2,147	147	281
Other motor-vehicle laws.....	2,597	1,215	591	326	203	95	1,382	941	309	132
Disorderly conduct and vagrancy	277	117	64	35	10	8	160	76	76	3
Gambling.....	3,179	862	205	239	299	119	2,317	1,642	469	206
All other offenses.....	2,968	1,062	642	155	146	119	1,906	1,188	545	173

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.
²Most of these offenses are tried in large numbers by minor courts not reporting here.
Note.—On the basis of the 1940 population, reports cover 100 percent of the population of the State in 1937, 99.6 percent in 1938, 100 percent in 1939, and 99.8 percent in 1940.

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 10 (71.4 percent) of the total of 17,278 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	12,328	100.0	14,158	100.0	18,293	100.0	15,904	100.0
Death penalty	7	0.1	9	0.1	8	(¹)	7	(¹)
State prisons or reformatories...	1,612	13.1	1,904	13.4	2,474	13.5	2,292	14.4
Probation or suspended sentence...	3,411	27.7	3,764	26.6	5,631	30.8	4,701	29.6
Local jails, workhouses, etc....	5,442	44.1	6,474	45.7	8,170	44.7	7,131	44.8
Fine or costs only	1,484	12.0	1,573	11.1	1,664	9.1	1,637	10.3
Institutions for juveniles....	237	1.9	276	1.9	226	1.2	94	0.6
Other sentences	135	1.1	158	1.1	120	0.7	42	0.3

¹Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses	26,716	7	1,670	7,109	8,520	7,137	400	1,873
Major offenses, total ¹	12,328	7	1,612	3,411	5,442	1,484	237	135
Murder	106	7	72	1	24	-	-	2
Manslaughter	156	-	33	17	87	10	3	1
Robbery	805	-	244	111	423	3	23	1
Aggravated assault	1,141	-	41	362	510	223	4	1
Burglary	2,551	-	567	590	1,254	60	75	5
Larceny, except auto theft	2,660	-	264	956	1,153	224	57	6
Auto theft	489	-	78	137	234	28	12	-
Embezzlement and fraud	899	-	37	339	370	150	-	3
Stolen property, receiving, etc....	313	-	9	108	128	64	4	-
Forgery and counterfeiting	412	-	53	115	214	29	-	1
Rape	312	-	66	29	187	21	7	2
Commercialized vice	445	-	15	92	149	189	-	-
Other sex offenses	1,250	-	63	325	334	416	11	101
Violating drug laws	146	-	3	48	78	17	-	-
Carrying, etc., weapons	422	-	9	136	235	40	1	1
Other major offenses	221	-	53	45	62	10	40	11
Abortion	23	-	7	5	8	3	-	-
Arson	50	-	12	5	21	3	2	7
Bigamy	16	-	1	5	10	-	-	-
Blackmail and extortion	10	-	-	5	4	1	-	-
Escape and jail break	73	-	21	1	13	-	38	-
Kidnaping	1	-	-	-	-	1	-	-
Perjury	48	-	12	24	6	2	-	4
Other offenses: ²								
Minor assault	744	-	8	300	208	226	1	1
Nonsupport or neglect	3,854	-	3	1,084	46	1,220	7	*1,494
Violating liquor laws	1,450	-	3	305	309	831	2	-
Driving while intoxicated	2,575	-	7	567	1,207	793	-	1
Other motor-vehicle laws	1,382	-	8	331	374	665	3	1
Disorderly conduct and vagrancy..	160	-	2	53	32	58	12	3
Gambling	2,317	-	1	336	537	1,442	1	-
All other offenses	1,906	-	26	722	365	418	137	238

See footnotes 1 and 2 on first page.

*The nature of the sentence has been reported as "support order."

January 7, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: RHODE ISLAND, 1940

The Bureau of the Census received from the Department of Social Welfare at Providence reports on 600 defendants charged with major offenses who were disposed of in the superior courts of the 5 counties of Rhode Island during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940, approximately 19 out of 20 (95.2 percent) of the total of 600 defendants were convicted. Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	600	100.0	632	100.0	651	100.0	568	100.0
Eliminated without conviction....	29	4.8	7	1.1	26	4.0	8	1.4
Dismissed.....	17	2.8	7	1.1	26	4.0	4	0.7
Acquitted by court(jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	11	1.8	-	-	-	-	4	0.7
Other no-penalty disposition...	1	0.2	-	-	-	-	-	-
Convicted.....	571	95.2	625	98.9	625	96.0	560	98.6
Plea of guilty.....	565	94.2	625	98.9	625	96.0	557	98.1
Court finds guilty(jury waived)	-	-	-	-	-	-	-	-
Jury verdict guilty.....	6	1.0	-	-	-	-	3	0.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE:
RHODE ISLAND, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed and nolle prosequi	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	629	34	21	-	12	1	595	589	-	6
Major offenses, total ¹	600	29	17	-	11	1	571	565	-	6
Murder.....	2	1	-	-	-	1	1	-	-	1
Manslaughter.....	3	-	-	-	-	-	3	3	-	-
Robbery.....	20	-	-	-	-	-	20	20	-	-
Aggravated assault.....	33	1	1	-	-	-	32	30	-	2
Burglary.....	258	4	4	-	-	-	254	254	-	-
Larceny, except auto theft....	21	1	-	-	1	-	20	20	-	-
Auto theft.....	109	6	6	-	-	-	103	103	-	-
Embezzlement and fraud.....	62	12	2	-	10	-	50	48	-	2
Stolen property, receiving, etc.	1	-	-	-	-	-	1	1	-	-
Forgery and counterfeiting....	12	-	-	-	-	-	12	12	-	-
Rape.....	26	-	-	-	-	-	26	25	-	1
Commercialized vice.....	1	-	-	-	-	-	1	1	-	-
Other sex offenses.....	9	-	-	-	-	-	9	9	-	-
Violating drug laws.....	3	-	-	-	-	-	3	3	-	-
Carrying, etc., weapons.....	14	-	-	-	-	-	14	14	-	-
Other major offenses.....	26	4	4	-	-	-	22	22	-	-
Abortion.....	2	-	-	-	-	-	2	2	-	-
Arson.....	14	3	3	-	-	-	11	11	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	6	1	1	-	-	-	5	5	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-
Other offenses: ²										
Minor assault.....	5	-	-	-	-	-	5	5	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	11	1	1	-	-	-	10	10	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-	-	-
Gambling.....	5	3	3	-	-	-	2	2	-	-
All other offenses.....	8	1	-	-	1	-	7	7	-	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

³Defendants who were convicted on a plea of nolo contendere are included with pleas of guilty.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted and sentenced for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	571	100.0	625	100.0	625	100.0	560	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	116	20.3	194	31.0	162	25.9	146	26.1
Probation or suspended sentence..	423	74.1	377	60.3	405	64.8	346	61.8
Local jails, workhouses, etc.....	27	4.7	46	7.4	57	9.1	59	10.5
Fine or costs only.....	5	0.9	8	1.3	1	0.2	3	0.5
Institutions for juveniles.....	-	-	-	-	-	-	6	1.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE:
RHODE ISLAND, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	595	-	117	441	31	6	-	-
Major offenses, total ¹	571	-	116	423	27	5	-	-
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	3	-	1	2	-	-	-	-
Robbery.....	20	-	8	12	-	-	-	-
Aggravated assault.....	32	-	4	27	1	-	-	-
Burglary.....	254	-	50	192	12	-	-	-
Larceny, except auto theft.....	20	-	5	15	-	-	-	-
Auto theft.....	103	-	19	82	2	-	-	-
Embezzlement and fraud.....	50	-	5	32	9	4	-	-
Stolen property, receiving, etc..	1	-	-	1	-	-	-	-
Forgery and counterfeiting.....	12	-	3	8	1	-	-	-
Rape.....	26	-	5	20	1	-	-	-
Commercialized vice.....	1	-	-	1	-	-	-	-
Other sex offenses.....	9	-	2	7	-	-	-	-
Violating drug laws.....	3	-	2	1	-	-	-	-
Carrying, etc., weapons.....	14	-	2	11	-	1	-	-
Other major offenses.....	22	-	9	12	1	-	-	-
Abortion.....	2	-	-	2	-	-	-	-
Arson.....	11	-	2	9	-	-	-	-
Bigamy.....	2	-	1	1	-	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	5	-	4	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses: ²								
Minor assault.....	5	-	-	2	3	-	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	10	-	-	10	-	-	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	2	-	-	1	1	-	-	-
All other offenses.....	7	-	1	5	-	1	-	-

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: SOUTH DAKOTA, 1940

The Bureau of the Census received from the clerks of court reports on 478 defendants charged with major offenses who were disposed of in circuit courts of the 69 counties of South Dakota during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of 10 (87.0 percent) of the total of 478 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	478	100.0	468	100.0	392	100.0	526	100.0
Eliminated without conviction....	62	13.0	53	11.3	51	13.0	85	16.2
Dismissed.....	44	9.2	38	8.1	35	8.9	70	13.3
Acquitted by court(jury waived)	1	0.2	-	-	2	0.5	1	0.2
Acquitted by jury.....	11	2.3	13	2.8	13	3.3	13	2.5
Other no-penalty disposition...	6	1.3	2	0.4	1	0.3	1	0.2
Convicted.....	416	87.0	415	88.7	341	87.0	441	83.8
Plea of guilty.....	387	81.0	374	79.9	305	77.8	406	77.2
Court finds guilty(jury waived)	17	3.6	22	4.7	26	6.6	9	1.7
Jury verdict guilty.....	12	2.5	19	4.1	10	2.6	26	4.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	747	112	81	2	18	11	635	588	28	19
Major offenses, total ¹	478	62	44	1	11	6	416	387	17	12
Murder.....	4	2	-	-	1	1	2	1	-	1
Manslaughter.....	7	4	-	-	-	-	3	2	-	1
Robbery.....	9	2	2	-	-	-	7	5	-	2
Aggravated assault.....	15	5	3	-	1	1	10	7	-	3
Burglary.....	78	4	2	-	1	1	74	72	2	-
Larceny, except auto theft....	151	12	8	-	4	-	139	134	4	1
Auto theft.....	23	3	3	-	-	-	20	18	1	1
Embezzlement and fraud.....	48	11	7	1	2	1	37	35	2	-
Stolen property, receiving, etc.	5	2	2	-	-	-	3	3	-	-
Forgery and counterfeiting....	81	3	1	-	-	2	78	70	7	1
Rape.....	22	7	5	-	2	-	15	14	1	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	22	6	6	-	-	-	16	15	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	2	-	-	-	-	-	2	2	-	-
Other major offenses.....	11	1	1	-	-	-	10	9	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	5	1	1	-	-	-	4	4	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	-	-	-	-	5	5	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	-	-	1
Other offenses: ²										
Minor assault.....	11	4	4	-	-	-	7	5	1	1
Nonsupport or neglect.....	28	4	4	-	-	-	24	24	-	-
Violating liquor laws.....	26	9	8	-	1	-	17	16	-	1
Driving while intoxicated.....	97	5	3	-	1	1	92	82	9	1
Other motor-vehicle laws.....	26	7	5	-	1	1	19	18	-	1
Disorderly conduct and vagrancy	6	-	-	-	-	-	6	6	-	-
Gambling.....	6	1	-	1	-	-	5	5	-	-
All other offenses.....	69	20	13	-	4	3	49	45	1	3

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 99.7 percent of the population in 1937; 76.8 percent in 1938; 94.4 percent in 1939; and 100 percent in 1940.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	416	100.0	415	100.0	341	100.0	441	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	246	59.1	231	55.7	191	56.0	257	58.1
Probation or suspended sentence..	95	22.8	87	21.0	68	19.9	82	18.6
Local jails, workhouses, etc.....	60	14.4	79	19.0	69	20.2	79	17.9
Fine or costs only.....	11	2.6	7	1.7	7	2.1	16	3.6
Institutions for juveniles.....	4	1.0	11	2.7	6	1.8	7	1.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	635	-	254	179	111	86	4	1
Major offenses, total ¹	416	-	246	95	60	11	4	-
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	3	-	2	-	1	-	-	-
Robbery.....	7	-	6	-	1	-	-	-
Aggravated assault.....	10	-	6	4	-	-	-	-
Burglary.....	74	-	53	13	7	-	1	-
Larceny, except auto theft.....	139	-	67	34	26	9	3	-
Auto theft.....	20	-	13	5	2	-	-	-
Embezzlement and fraud.....	37	-	20	12	4	1	-	-
Stolen property, receiving, etc..	3	-	-	2	1	-	-	-
Forgery and counterfeiting.....	78	-	48	17	13	-	-	-
Rape.....	15	-	13	2	-	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	16	-	7	6	3	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	2	-	2	-	-	-	-	-
Other major offenses.....	10	-	7	-	2	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	4	-	3	-	1	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	4	-	-	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	1	-	-	-
Other offenses: ²								
Minor assault.....	7	-	1	3	1	2	-	-
Nonsupport or neglect.....	24	-	3	17	3	1	-	-
Violating liquor laws.....	17	-	1	7	4	5	-	-
Driving while intoxicated.....	92	-	1	33	33	25	-	-
Other motor-vehicle laws.....	19	-	-	7	1	11	-	-
Disorderly conduct and vagrancy..	6	-	-	1	3	2	-	-
Gambling.....	5	-	-	-	-	5	-	-
All other offenses.....	49	-	2	16	6	24	-	1

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS: UTAH, 1940

The Bureau of the Census received from the clerks of court reports on 394 defendants charged with major offenses who were disposed of in the district courts in 28 of the 29 counties of Utah during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (81.2 percent) of the total of 394 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	394	100.0	415	100.0	383	100.0	377	100.0
Eliminated without conviction....	74	18.8	69	16.6	102	26.6	81	21.5
Dismissed.....	37	9.4	36	8.7	41	10.7	47	12.5
Acquitted by court(jury waived)	4	1.0	7	1.7	14	3.7	1	0.3
Acquitted by jury.....	33	8.4	23	5.5	45	11.7	31	8.2
Other no-penalty disposition...	-	-	3	0.7	2	0.5	2	0.5
Convicted.....	320	81.2	346	83.4	281	73.4	296	78.5
Plea of guilty.....	251	63.7	257	61.9	208	54.3	221	58.6
Court finds guilty(jury waived)	7	1.8	12	2.9	13	3.4	9	2.4
Jury verdict guilty.....	62	15.7	77	18.6	60	15.7	66	17.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: UTAH, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	549	128	62	6	59	1	421	315	22	84
Major offenses, total ¹	394	74	37	4	33	-	320	251	7	62
Murder.....	7	3	1	-	2	-	4	-	-	4
Manslaughter.....	13	4	2	-	2	-	9	3	1	5
Robbery.....	28	9	2	-	7	-	19	10	1	8
Aggravated assault.....	11	6	2	-	4	-	5	3	1	1
Burglary.....	134	20	11	2	7	-	114	86	3	25
Larceny, except auto theft....	62	4	3	-	1	-	58	51	-	7
Auto theft.....	7	1	1	-	-	-	6	6	-	-
Embezzlement and fraud.....	19	2	1	-	1	-	17	16	-	1
Stolen property, receiving, etc.	9	3	1	1	1	-	6	6	-	-
Forgery and counterfeiting....	52	3	3	-	-	-	49	45	1	3
Rape.....	13	5	1	1	3	-	8	6	-	2
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	23	6	4	-	2	-	17	13	-	4
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	-	-	-	-	-	3	2	-	1
Other major offenses.....	13	8	5	-	3	-	5	4	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	5	2	1	-	1	-	3	2	-	1
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	4	4	3	-	1	-	-	-	-	-
Kidnaping.....	1	1	1	-	-	-	-	-	-	-
Perjury.....	1	1	-	-	1	-	-	-	-	-
Other offenses: ²										
Minor assault.....	10	5	3	1	1	-	5	2	2	1
Nonsupport or neglect.....	9	4	3	-	-	1	5	3	2	-
Violating liquor laws.....	35	1	1	-	-	-	34	31	2	1
Driving while intoxicated.....	43	23	5	1	17	-	20	9	1	10
Other motor-vehicle laws.....	17	7	3	-	4	-	10	3	5	2
Disorderly conduct and vagrancy	4	2	2	-	-	-	2	2	-	-
Gambling.....	9	-	-	-	-	-	9	7	-	2
All other offenses.....	28	12	8	-	4	-	16	7	3	6

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 100.0 percent of the population of the State in 1937, 1938, and 1939, and 97.1 percent (all counties except Sanpete) in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the

last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	320	100.0	346	100.0	281	100.0	296	100.0
Death penalty.....	2	0.6	-	-	1	0.4	-	-
State prisons or reformatories...	151	47.2	156	45.1	151	53.7	168	56.8
Probation or suspended sentence...	122	38.1	159	46.0	104	37.0	86	29.1
Local jails, workhouses, etc.....	33	10.3	23	6.6	21	7.5	33	11.1
Fine or costs only.....	9	2.8	6	1.7	1	0.4	5	1.7
Institutions for juveniles.....	-	-	2	0.6	3	1.1	4	1.4
Other sentences.....	3	0.9	-	-	-	-	-	-

TABLE 4—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: UTAH, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	421	2	157	154	50	53	-	5
Major offenses, total ¹	320	2	151	122	33	9	-	3
Murder.....	4	2	2	-	-	-	-	-
Manslaughter.....	9	-	-	-	9	-	-	-
Robbery.....	19	-	15	4	-	-	-	-
Aggravated assault.....	5	-	4	1	-	-	-	-
Burglary.....	114	-	67	44	2	1	-	-
Larceny, except auto theft.....	58	-	14	30	12	2	-	-
Auto theft.....	6	-	4	1	1	-	-	-
Embezzlement and fraud.....	17	-	7	4	5	1	-	-
Stolen property, receiving, etc..	6	-	1	2	1	2	-	-
Forgery and counterfeiting.....	49	-	22	27	-	-	-	-
Rape.....	8	-	4	1	1	1	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	17	-	6	7	2	1	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	-	1	-	-	1	-	1
Other major offenses.....	5	-	4	1	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	3	-	3	-	-	-	-	-
Bigamy.....	2	-	1	1	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	5	-	-	3	-	2	-	-
Nonsupport or neglect.....	5	-	1	4	-	-	-	-
Violating liquor laws.....	34	-	-	14	4	16	-	-
Driving while intoxicated.....	20	-	-	4	6	9	-	1
Other motor-vehicle laws.....	10	-	-	-	3	7	-	-
Disorderly conduct and vagrancy..	2	-	-	2	-	-	-	-
Gambling.....	9	-	-	2	1	6	-	-
All other offenses.....	16	-	5	3	3	4	-	1

See footnotes 1 and 2 on first page.

February 3, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: VERMONT, 1940

The Bureau of the Census received from the clerks of court reports on 418 defendants charged with major offenses who were disposed of in the trial courts of the 14 counties of Vermont during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (77.8 percent) of the total of 418 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	418	100.0	425	100.0	434	100.0	649	100.0
Eliminated without conviction....	93	22.2	97	22.8	96	22.1	144	22.2
Dismissed.....	71	17.0	79	18.6	86	19.8	117	18.0
Acquitted by court(jury waived)	1	0.2	1	0.2	1	0.2	1	0.2
Acquitted by jury.....	10	2.4	11	2.6	2	0.5	8	1.2
Other no-penalty disposition...	11	2.6	6	1.4	7	1.6	18	2.8
Convicted.....	325	77.8	328	77.2	338	77.9	505	77.8
Plea of guilty.....	314	75.1	311	73.2	317	73.0	486	74.9
Court finds guilty(jury waived)	2	0.5	1	0.2	1	0.2	-	-
Jury verdict guilty.....	9	2.2	16	3.8	20	4.6	19	2.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: VERMONT, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,611	356	279	6	21	50	2,255	2,214	14	27
Major offenses, total ¹	418	93	71	1	10	11	325	314	2	9
Murder.....	3	1	-	-	-	1	2	1	-	1
Manslaughter.....	1	1	1	-	-	-	-	-	-	-
Robbery.....	3	1	1	-	-	-	2	2	-	-
Aggravated assault.....	2	1	1	-	-	-	1	1	-	-
Burglary.....	82	16	10	-	3	3	66	65	1	-
Larceny, except auto theft....	151	31	22	-	4	5	120	117	-	3
Auto theft.....	14	-	-	-	-	-	14	14	-	-
Embezzlement and fraud.....	31	10	9	-	1	-	21	20	-	1
Stolen property, receiving, etc.	12	5	3	1	-	1	7	7	-	-
Forgery and counterfeiting....	13	2	2	-	-	-	11	11	-	-
Rape.....	22	9	9	-	-	-	13	11	1	1
Commercialized vice.....	1	1	-	-	-	1	-	-	-	-
Other sex offenses.....	65	11	10	-	1	-	54	52	-	2
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	18	4	3	-	1	-	14	13	-	1
Abortion.....	3	2	1	-	1	-	1	-	-	1
Arson.....	7	1	1	-	-	-	6	6	-	-
Bigamy.....	1	-	-	-	-	-	1	1	-	1
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	6	-	-	-	-	-	6	6	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	1	1	-	-	-	-	-	-	-
Other offenses: ²										
Minor assault.....	65	20	20	-	-	-	45	44	-	1
Nonsupport or neglect.....	66	30	21	-	-	9	36	31	5	-
Violating liquor laws.....	43	9	6	-	1	2	34	31	1	2
Driving while intoxicated.....	173	25	15	-	4	6	148	143	-	5
Other motor-vehicle laws.....	730	54	40	3	2	9	676	668	4	4
Disorderly conduct and vagrancy	1,031	101	91	2	4	4	930	923	2	5
Gambling.....	3	-	-	-	-	-	3	3	-	-
All other offenses.....	82	24	15	-	-	9	58	57	-	1

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Both county and municipal courts have felony jurisdiction. In 1940, 11 of 14 county courts and 8 of 14 municipal courts reported criminal dispositions.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	325	100.0	328	100.0	338	100.0	505	100.0
Death penalty	1	0.3	-	-	-	-	-	-
State prisons or reformatories...	116	35.7	134	40.9	128	37.9	184	36.4
Probation or suspended sentence..	91	28.0	97	29.6	87	25.7	132	26.1
Local jails, workhouses, etc.....	66	20.3	53	16.2	83	24.6	122	24.2
Fine or costs only.....	37	11.4	30	9.1	34	10.1	59	11.7
Institutions for juveniles.....	14	4.3	13	4.0	6	1.8	8	1.6
Other sentences.....	-	-	1	0.3	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: VERMONT, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,255	1	136	204	528	1,372	14	-
Major offenses, total ¹	325	1	116	91	66	37	14	-
Murder.....	2	1	1	-	-	-	-	-
Manslaughter.....	-	-	-	-	-	-	-	-
Robbery.....	2	-	2	-	-	-	-	-
Aggravated assault.....	1	-	1	-	-	-	-	-
Burglary.....	66	-	37	18	6	-	5	-
Larceny, except auto theft.....	120	-	21	22	45	27	5	-
Auto theft.....	14	-	3	3	5	3	-	-
Embezzlement and fraud.....	21	-	6	12	2	1	-	-
Stolen property, receiving, etc..	7	-	2	3	-	2	-	-
Forgery and counterfeiting.....	11	-	3	4	3	-	1	-
Rape.....	13	-	9	2	1	1	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	54	-	23	25	1	2	3	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	14	-	8	2	3	1	-	-
Abortion.....	1	-	1	-	-	-	-	-
Arson.....	6	-	3	2	-	1	-	-
Bigamy.....	1	-	1	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	6	-	3	-	3	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	45	-	-	17	8	20	-	-
Nonsupport or neglect.....	36	-	3	23	7	3	-	-
Violating liquor laws.....	34	-	4	3	7	20	-	-
Driving while intoxicated.....	148	-	1	19	14	114	-	-
Other motor-vehicle laws.....	676	-	2	13	16	645	-	-
Disorderly conduct and vagrancy..	930	-	6	26	409	489	-	-
Gambling.....	3	-	-	-	-	3	-	-
All other offenses.....	58	-	4	12	1	41	-	-

See footnotes 1 and 2 on first page.

August 21, 1941

U.S. DEPARTMENT OF COMMERCE

Jesse H. Jones, Secretary

BUREAU OF THE CENSUS

J. C. Capt, Director

WASHINGTON

JUDICIAL CRIMINAL STATISTICS: WASHINGTON, 1940

The Bureau of the Census received from the clerks of court reports on 1,584 defendants charged with major offenses who were disposed of in the superior courts of the 39 counties of Washington during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940, approximately 8 out of every 10 (84.8 percent) of the total of 1,584 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,584	100.0	1,614	100.0	1,637	100.0	1,579	100.0
Eliminated without conviction....	241	15.2	254	15.7	280	17.1	290	18.4
Dismissed.....	186	11.7	177	11.0	200	12.2	219	13.9
Acquitted by court (jury waived)	1	0.1	1	0.1	6	0.4	2	0.1
Acquitted by jury.....	40	2.5	58	3.6	53	3.5	52	3.3
Other no-penalty disposition...	14	0.9	18	1.1	16	1.0	17	1.1
Convicted.....	1,343	84.8	1,360	84.3	1,357	82.9	1,289	81.6
Plea of guilty.....	1,234	77.9	1,235	76.5	1,206	73.7	1,128	71.4
Court finds guilty (jury waived)	2	0.1	4	0.2	19	1.2	18	1.1
Jury verdict guilty.....	107	6.8	121	7.5	132	8.1	143	9.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,869	359	275	3	52	29	1,510	1,387	3	120
Major offenses, total ¹	1,584	241	186	1	40	14	1,343	1,234	2	107
Murder.....	16	6	2	-	3	1	10	-	1	9
Manlaughter.....	42	16	6	-	10	-	26	20	-	6
Robbery.....	76	10	8	-	2	-	66	53	-	13
Aggravated assault.....	55	11	9	-	2	-	44	40	-	4
Burglary.....	324	24	15	-	6	3	300	288	-	12
Larceny, except auto theft....	476	75	64	-	7	4	401	381	-	20
Auto theft.....	122	14	12	-	1	1	108	104	-	4
Embezzlement and fraud.....	51	20	19	-	-	1	31	28	-	3
Stolen property, receiving, etc.	19	5	5	-	-	-	14	13	-	1
Forgery and counterfeiting....	187	13	10	-	1	2	174	163	1	10
Rape.....	48	11	10	-	1	-	37	30	-	7
Commercialized vice.....	3	2	1	-	-	-	1	-	-	1
Other sex offenses.....	111	15	12	-	2	1	96	83	-	13
Violating drug laws.....	4	3	3	-	-	-	1	-	-	1
Carrying, etc., weapons.....	14	3	3	-	-	-	11	10	-	1
Other major offenses.....	36	13	7	1	4	1	23	21	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	21	8	3	1	3	1	13	13	-	-
Bigamy.....	4	-	-	-	-	-	4	4	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	2	1	-	-	1	-	1	1	-	-
Kidnaping.....	4	2	2	-	-	-	2	-	-	2
Perjury.....	5	2	2	-	-	-	3	3	-	-
Other offenses: ²										
Minor assault.....	47	18	15	1	2	-	29	27	-	2
Conspire or neglect.....	40	28	19	-	-	9	12	12	-	-
Violating liquor laws.....	24	10	6	-	1	3	14	10	-	4
Driving while intoxicated.....	49	19	12	-	5	2	30	29	-	1
Other motor-vehicle laws.....	34	11	7	1	3	-	23	22	-	1
Disorderly conduct and vagrancy	25	11	11	-	-	-	14	14	-	-
Gambling.....	5	2	2	-	-	-	3	3	-	-
All other offenses.....	61	19	17	-	1	1	42	38	1	5

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—Reports cover 100 percent of the population of the State in 1940, 1939, 1938, and 1937

(OVER)

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	1,343	100.0	1,360	100.0	1,357	100.0	1,289	100.0
Death penalty.....	4	0.3	2	0.1	4	0.3	5	0.4
State prisons or reformatories...	766	57.0	776	57.1	853	62.9	847	65.7
Probation or suspended sentence...	381	28.4	356	26.2	288	21.2	193	15.0
Local jails, workhouses, etc.....	182	13.6	203	14.9	198	14.6	231	17.9
Fine or costs only.....	10	0.7	12	0.9	7	0.5	13	1.0
Institutions for juveniles...	-	-	9	0.7	7	0.5	-	-
Other sentences.....	-	-	2	0.1	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE:
WASHINGTON, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,510	4	778	425	257	40	-	6
Major offenses, total ¹	1,343	4	766	381	182	10	-	-
Murder.....	10	4	6	-	-	-	-	-
Manslaughter.....	26	-	13	5	7	1	-	-
Robbery.....	66	-	58	7	1	-	-	-
Aggravated assault.....	44	-	24	14	5	1	-	-
Burglary.....	300	-	195	95	10	-	-	-
Larceny, except auto theft.....	401	-	170	115	110	6	-	-
Auto theft.....	108	-	52	53	3	-	-	-
Embezzlement and fraud.....	31	-	12	11	8	-	-	-
Stolen property, receiving, etc..	14	-	2	7	4	1	-	-
Forgery and counterfeiting.....	174	-	134	34	5	1	-	-
Rape.....	37	-	31	6	-	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	96	-	59	16	21	-	-	-
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	11	-	2	4	5	-	-	-
Other major offenses.....	23	-	7	14	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	13	-	3	8	2	-	-	-
Bigamy.....	4	-	2	2	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	1	-	-	-	-
Kidnaping.....	2	-	2	-	-	-	-	-
Perjury.....	3	-	-	3	-	-	-	-
Other offenses: ²								
Minor assault.....	29	-	1	14	14	-	-	-
Nonsupport or neglect.....	12	-	-	5	5	2	-	-
Violating liquor laws.....	14	-	1	1	4	5	-	3
Driving while intoxicated.....	30	-	-	5	20	5	-	-
Other motor-vehicle laws.....	23	-	2	4	9	8	-	-
Disorderly conduct and vagrancy..	14	-	-	6	8	-	-	-
Gambling.....	3	-	-	-	1	2	-	-
All other offenses.....	42	-	8	9	14	8	-	3

¹ See footnotes 1 and 2 on first page.

March 7, 1942

U. S. DEPARTMENT OF COMMERCE
Jesse H. Jones, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director
WASHINGTON

JUDICIAL CRIMINAL STATISTICS: WISCONSIN, 1940

The Bureau of the Census received reports on 3,192 defendants charged with major offenses who were disposed of in the trial courts of Wisconsin during the calendar year 1940. Under Wisconsin law, county, municipal, and superior courts have varying degrees of jurisdiction concurrent with the circuit court within the various counties. Reports on judicial criminal actions in 1940 were received from 66 of the 71 counties; all courts reported in 22 counties, containing 22.6 percent of the State's population; one or more courts reported in 44 counties, containing 71.8 percent of the population. The 5 counties for which no reports were received contain 5.5 percent of the population of the State, ac-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,192	100.0	3,225	100.0	3,430	100.0	3,024	100.0
Eliminated without conviction....	528	16.5	506	15.7	472	13.8	476	15.7
Dismissed.....	409	12.8	388	12.0	335	9.8	332	11.0
Acquitted by court(jury waived)	18	0.6	47	1.5	71	2.1	41	1.4
Acquitted by jury.....	16	0.5	27	0.8	34	1.0	39	1.3
Other no-penalty disposition....	85	2.7	44	1.4	32	0.9	64	2.1
Convicted.....	2,664	83.5	2,719	84.3	2,958	86.2	2,548	84.3
Plea of guilty.....	2,378	74.5	2,373	73.6	2,585	75.4	2,275	75.2
Court finds guilty(jury waived)	217	6.8	277	8.6	290	8.5	190	6.3
Jury verdict guilty.....	69	2.2	69	2.1	83	2.4	83	2.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	21,004	10,022	1,017	79	41	8,885	10,982	10,253	632	97
Major offenses, total ¹	3,192	528	409	18	16	85	2,664	2,378	217	69
Murder.....	19	4	2	-	-	2	15	6	-	9
Manslaughter.....	34	11	8	2	-	1	22	18	3	2
Robbery.....	104	12	9	-	-	4	91	75	11	5
Aggravated assault.....	98	15	7	3	2	3	83	59	19	5
Burglary.....	476	49	27	-	2	20	427	394	25	8
Larceny, except auto theft....	761	80	68	1	5	6	681	626	38	7
Auto theft.....	232	39	27	2	-	9	194	182	11	-
Embezzlement and fraud.....	416	148	128	6	1	12	268	237	23	8
Stolen property, receiving, etc.	57	10	7	-	2	1	47	43	3	1
Forgery and counterfeiting....	308	35	28	1	1	5	273	267	4	2
Rape.....	195	48	38	-	3	7	147	119	21	7
Commercialized vice.....	22	9	9	-	-	-	13	8	3	2
Other sex offenses.....	373	53	42	2	-	9	320	263	49	8
Violating drug laws.....	3	2	-	-	-	2	1	1	-	-
Carrying, etc., weapons.....	23	1	1	-	-	-	22	22	-	-
Other major offenses.....	70	11	8	-	-	3	59	47	7	5
Abortion.....	3	-	-	-	-	-	3	3	-	-
Arson.....	52	3	3	-	-	-	29	25	2	2
Bigamy.....	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion.....	10	-	-	-	-	-	10	6	2	2
Escape and jail break.....	11	4	2	-	-	2	7	7	-	-
Kidnaping.....	2	1	1	-	-	-	1	1	-	-
Perjury.....	11	3	2	-	-	1	8	4	5	1
Other offenses: ²										
Minor assault.....	279	105	87	11	5	2	174	142	27	5
Nonsupport or neglect.....	400	143	106	2	2	33	257	209	45	3
Violating liquor laws.....	266	35	27	4	3	1	231	218	9	4
Driving while intoxicated.....	751	44	20	4	6	14	687	613	72	2
Other motor-vehicle laws.....	11,175	8,665	141	7	-	3,517	2,510	2,419	88	3
Disorderly conduct and vagrancy	4,059	307	97	11	-	199	3,752	3,666	36	-
Gambling.....	76	12	4	4	1	3	64	52	12	-
All other offenses.....	328	182	126	18	8	31	643	556	76	11

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

according to the 1940 census.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (83.5 percent) of the total of 3,192 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposi-

tion of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced	2,664	100.0	2,719	100.0	2,958	100.0	2,548	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	917	34.4	830	30.5	899	30.4	730	28.6
Probation or suspended sentence..	1,052	39.5	1,154	42.4	1,158	39.1	1,053	41.3
Local jails, workhouses, etc.....	364	13.7	431	15.9	561	19.0	500	19.6
Fine or costs only.....	283	10.6	264	9.7	315	10.6	235	9.2
Institutions for juveniles....	36	1.4	36	1.3	25	0.8	30	1.2
Other sentences.....	12	0.5	4	0.1	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	10,982	-	1,011	3,910	1,457	4,463	42	99
Major offenses, total ¹	2,664	-	917	1,052	364	283	36	12
Murder.....	15	-	15	-	-	-	-	-
Manslaughter.....	23	-	8	8	4	3	-	-
Robbery.....	91	-	77	12	1	1	-	-
Aggravated assault.....	83	-	40	17	15	11	-	-
Burglary.....	427	-	215	182	16	1	13	-
Larceny, except auto theft.....	681	-	122	294	153	113	8	1
Auto theft.....	194	-	72	92	21	5	4	-
Embezzlement and fraud.....	268	-	53	109	42	63	-	1
Stolen property, receiving, etc..	47	-	8	14	14	11	-	-
Forgery and counterfeiting.....	273	-	123	136	7	5	1	1
Rape.....	147	-	63	72	5	7	-	-
Commercialized vice.....	13	-	3	2	4	4	-	-
Other sex offenses.....	320	-	87	97	66	51	10	9
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	22	-	6	6	5	5	-	-
Other major offenses.....	59	-	25	21	10	3	-	-
Abortion.....	5	-	-	1	-	2	-	-
Arson.....	29	-	17	11	1	-	-	-
Bigamy.....	1	-	-	1	-	-	-	-
Blackmail and extortion.....	10	-	2	4	3	1	-	-
Escape and jail break.....	7	-	3	-	4	-	-	-
Kidnaping.....	1	-	-	1	-	-	-	-
Perjury.....	8	-	3	3	2	-	-	-
Other offenses: ²								
Minor assault.....	174	-	6	39	30	99	-	-
Nonsupport or neglect.....	257	-	31	172	31	20	-	3
Violating liquor laws.....	231	-	3	13	11	203	-	1
Driving while intoxicated.....	637	-	-	96	52	524	-	15
Other motor-vehicle laws.....	2,510	-	3	352	57	2,045	1	52
Disorderly conduct and vagrancy..	2,752	-	29	2,063	835	816	-	9
Gambling.....	64	-	-	-	5	59	-	-
All other offenses.....	643	-	22	123	72	414	5	7

¹ Figures for 1937, 1938, 1939, and 1940 on first page.
3-31614

May 13, 1941

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

JUDICIAL CRIMINAL STATISTICS: WYOMING, 1940

The Bureau of the Census received from the clerks of court reports on 322 defendants charged with major offenses who were disposed of in the 23 district courts of Wyoming during the calendar year 1940

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 more than three-fourths (77.6) of the total of 322 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	322	100.0	385	100.0	317	100.0	328	100.0
Eliminated without conviction....	72	22.4	64	16.6	70	22.1	62	18.9
Dismissed.....	63	19.6	54	14.0	53	16.7	51	15.5
Acquitted by court(jury waived)	-	-	-	-	5	1.6	-	-
Acquitted by jury.....	7	2.2	9	2.3	11	3.5	10	3.0
Other no-penalty disposition...	2	0.6	1	0.3	1	0.3	1	0.3
Convicted.....	250	77.6	321	83.4	247	77.9	266	81.1
Plea of guilty.....	237	73.6	311	80.8	233	73.5	241	73.5
Court finds guilty(jury waived)	6	1.9	-	-	8	2.5	11	3.4
Jury verdict guilty.....	7	2.2	10	2.6	6	1.9	14	4.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	435	100	87	-	11	2	335	309	18	8
Major offenses, total ¹	322	72	63	-	7	2	250	237	6	7
Murder.....	4	2	-	-	-	-	2	2	-	-
Manslaughter.....	5	2	-	-	2	-	3	3	-	-
Robbery.....	15	2	-	-	-	-	13	11	1	1
Aggravated assault.....	10	3	3	-	-	-	7	6	-	1
Burglary.....	72	7	7	-	-	-	65	61	4	-
Larceny, except auto theft.....	82	17	16	-	-	-	65	61	4	-
Auto theft.....	20	7	7	-	-	1	13	13	-	-
Embezzlement and fraud.....	28	15	12	-	2	1	13	13	-	-
Stolen property, receiving, etc..	6	1	1	-	-	-	5	3	-	-
Forgery and counterfeiting.....	60	10	9	-	1	-	50	47	1	2
Rape.....	8	4	4	-	-	-	4	3	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	7	1	1	-	-	-	6	6	-	-
Violating drug laws.....	3	-	-	-	-	-	3	3	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-
Other major offenses.....	1	1	1	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-	-	-
Bigamy.....	1	1	1	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: ²										
Minor assault.....	12	2	2	-	-	-	10	9	-	1
Insupport or neglect.....	8	1	1	-	-	-	7	7	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	27	10	6	-	4	-	17	16	1	-
Other motor-vehicle laws.....	6	-	-	-	-	-	6	6	-	-
Disorderly conduct and vagrancy..	5	1	1	-	-	-	4	4	-	-
Gambling.....	14	7	7	-	-	-	7	7	-	-
All other offenses.....	41	7	7	-	-	-	34	27	7	-

¹This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

²Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 95.6 percent of the population of the State in 1937, 93.8 percent in 1938, and 100.0 percent in 1939 and 1940.

(OVER)

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	250	100.0	321	100.0	247	100.0	266	100.0
Death penalty.....	-	-	-	-	1	0.4	-	-
State prisons or reformatories...	147	58.8	196	61.1	155	62.8	181	68.0
Probation or suspended sentence..	78	31.2	89	27.7	41	16.6	46	17.3
Local jails, workhouses, etc.....	8	3.2	10	3.1	13	5.3	25	9.4
Fine or costs only.....	4	1.6	6	1.9	6	2.4	14	5.3
Institutions for juveniles.....	13	5.2	20	6.2	31	12.6	-	-
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	335	-	156	103	32	18	25	1
Major offenses, total ¹	250	-	147	78	8	4	13	-
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	3	-	2	1	-	-	-	-
Robbery.....	13	-	9	4	-	-	-	-
Aggravated assault.....	7	-	2	5	-	-	-	-
Burglary.....	65	-	34	24	-	-	7	-
Larceny, except auto theft.....	65	-	37	19	3	1	5	-
Auto theft.....	13	-	7	6	-	-	-	-
Embezzlement and fraud.....	13	-	4	8	1	-	-	-
Stolen property, receiving, etc..	5	-	4	1	-	-	-	-
Forgery and counterfeiting.....	50	-	40	9	1	-	-	-
Rape.....	4	-	4	-	-	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	6	-	2	-	-	3	1	-
Violating drug laws.....	3	-	-	-	3	-	-	-
Carrying, etc., weapons.....	1	-	-	1	-	-	-	-
Other major offenses.....	-	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: ²								
Minor assault.....	10	-	-	5	5	-	-	-
Nonsupport or neglect.....	7	-	-	5	2	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	17	-	1	-	15	1	-	-
Other motor-vehicle laws.....	6	-	-	3	1	2	-	-
Disorderly conduct and vagrancy..	4	-	-	-	-	-	4	-
Gambling.....	7	-	-	1	1	4	-	1
All other offenses.....	34	-	8	11	-	7	8	-

See footnotes 1 and 2 on first page.

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JUDICIAL CRIMINAL STATISTICS 1941

Prepared under the supervision of
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Chief Statistician for Vital Statistics

WASHINGTON: 1943

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Symbols used in this report

Class or item not applicable.....	...
Data not available.....	---
Quantity is zero, in number columns.....	-
Quantity is zero, in percent columns.....	0
When figure is more than 0 and less than 0.05.....	0.0

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JUDICIAL CRIMINAL STATISTICS

INTRODUCTION

The 1941 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the data for the past six years. The 1941 report is presented chiefly as a brief summary of the statistical data collected from the cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well as for a detailed analysis of the data collected.

It is emphasized again that comparisons between States should be made only with extreme caution and that probably no general conclusions concerning differences in prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary, which shows for defendants charged with major offenses the distribution of sentences and dispositions for the years 1937 to 1941.

These statistics indicate that 77 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction during 1941 were convicted. About seven-tenths of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for 84 percent of all convictions. Slightly over one-sixth of the defendants disposed of were brought to trial. Of the defendants convicted and sentenced, 38 percent received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

SCOPE OF THE REPORT

Twenty-five States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports on defendants in criminal cases disposed of during the year 1941 in courts having original felony jurisdiction. This is the tenth year in which the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States; 24 States furnished information for 1933, 27 for 1934,

30 for 1935 and 1936, 29 for 1937, 27 for 1938, 25 for 1939, and 27 for 1940. The two States omitted from the 1941 report, but which were included in the 1940 report, were Michigan and Indiana.

Limitations of the Statistics

The judicial criminal statistics gathered by the Bureau of the Census are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States, there is a court of general jurisdiction in each county that has authority to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender charged with a felony will be tried in a court of general jurisdiction, although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended in certain instances to minor courts, such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders arrested on felony charges are disposed of finally in minor courts, either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor that is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case, from the point of arrest or the filing of the first charge to final disposition, will there be data available to give us an adequate picture of the administration of criminal justice.

There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page xi) that the 1941 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While most

States have one court of general jurisdiction in each county, in some States special jurisdiction to dispose of felony offenses has been given to local courts that otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. However, the municipal courts of that State have been granted power to dispose of felony cases when the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain adequate coverage of the felony convictions in that State. There may be a great deal of variance in the extent of jurisdiction possessed by the general trial courts even within a single State. Their misdemeanor jurisdiction is essentially residual; that is, they may dispose of all types of cases not within the exclusive jurisdiction of a lower court. In metropolitan counties the lower courts will handle the bulk of lesser offenses and only the felony cases will be tried in the general court. In the rural counties, however, nearly all cases, felony and misdemeanor, come before the general trial court. There are, therefore, some very real difficulties in a comparative analysis of these statistics. As has been the case each year since 1935, summary and comparative data in the State reports are limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics that would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There are no refinements of selection, however, which will make up for the fact that these statistics do not embody the results of the early stages in the prosecution of felony cases. In many counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges in municipal or other minor courts in a preliminary hearing and never reach the general trial courts. In other counties, very few felony cases will be brought before a minor court and the number of cases appearing in the trial courts will be, by comparison, exceedingly large. Consequently it is impossible to assume that statistics of courts of general jurisdiction fully account for prosecution practices. This fact limits the conclusions that may be drawn concerning variations in procedural and sentencing practices from State to State.

METHODS OF COLLECTION

The judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. It provides for the tallying of all defendants disposed of during the year by offense and method of disposition and for the tallying of all persons convicted by offense for which convicted and sentence imposed. The 1941 data were collected by this tally-sheet method in 20 of the 25 States. In Pennsylvania a summary tally sheet was prepared from reports of the clerks and submitted to the Bureau by the Department of Welfare. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. For the District of Columbia, Minnesota, and Ohio, the data were reported by means of individual-case cards.

Tally-Sheet Method

The accuracy of the data reported on the tally sheets necessarily depends on the care with which clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that general instructions are intended to apply to many jurisdictions and that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally-sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The classification of cases according to offense and particular method of disposition or type of sentence also is quite difficult. Inasmuch as clerks may have different ideas on the proper classification of offenders, there is undoubtedly a lack of uniformity in the data reported. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary were available, it probably would not be based on the same terms or units as the census reports. Further, if errors have been made in the preparation of the report, there is no way to check or eliminate them except to repeat the entire process of compilation.

ANALYSIS OF 1941 DATA

v

Case-Card Method

A new method of collecting judicial criminal statistics on the basis of individual-case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia, and has been used each year since 1937. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collecting, editing, and clarifying of recorded data is done by a central statistical agency of the State, thus insuring uniform interpretation of the data reported. The cards are annually forwarded to the Bureau, where they are coded and tabulated.

This method is far more flexible than the tally-sheet method because it makes possible a more intensive analysis of the data collected and can quite easily be adapted to the particular record-keeping routines used by the different clerks of court. As more work is required to tabulate, analyze, and summarize reports collected under the individual-case method, it

would be difficult for the Bureau to undertake detailed supervision of such reports from a large number of States. Having tested the practicability of the individual-case method, the Census Bureau would encourage the establishment of State statistical bureaus or agencies for the collection of judicial criminal statistics. Such an agency could adapt the system to the particular laws, procedure, and practice of the State, and make a much more detailed analysis of the statistics collected than could a national agency attempting to deal with all States. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the successful establishment and operation of such State bureaus.

ANALYSIS OF 1941 DATA

Disposition and Sentence, by States

The 1941 report consists principally of summaries for each of the 25 cooperating States. For 23 States it was possible to

TABLE 1.--DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED,
BY STATES: 1941

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 25 States.....	61,868	14,172	22.9	47,696	77.1
California.....	6,355	1,345	21.2	5,010	78.8
Colorado.....	1,345	308	22.9	1,037	77.1
Connecticut ¹	959	118	12.3	841	87.7
District of Columbia.....	1,645	501	30.5	1,144	69.5
Idaho.....	428	89	20.8	339	79.2
Iowa.....	1,890	421	22.3	1,469	77.7
Kansas.....	1,424	438	30.8	986	69.2
Massachusetts.....	3,083	474	15.4	2,609	84.6
Minnesota.....	1,696	174	10.3	1,522	89.7
Montana.....	503	105	20.9	398	79.1
New Hampshire.....	337	36	10.7	301	89.3
New Jersey.....	5,291	1,174	22.2	4,117	77.8
New Mexico.....	974	309	31.7	665	68.3
New York.....	9,432	2,330	24.7	7,102	75.3
North Dakota.....	413	62	15.0	351	85.0
Ohio.....	4,515	760	16.8	3,755	83.2
Oregon.....	1,048	191	18.2	857	81.8
Pennsylvania.....	14,411	4,347	30.2	10,064	69.8
Rhode Island.....	514	22	4.3	492	95.7
South Dakota.....	384	50	13.0	334	87.0
Utah.....	352	72	20.5	280	79.5
Vermont.....	533	138	25.9	395	74.1
Washington.....	1,334	182	13.6	1,152	86.4
Wisconsin.....	2,710	478	17.6	2,232	82.4
Wyoming.....	292	48	16.4	244	83.6

¹Statistics are for the year July 1, 1941 through June 30, 1942.

present a 5-year comparison showing, by major offenses, the number of defendants charged and convicted, together with the rate per 100,000 population. For all 25 States the procedural outcome and type of sentence imposed are shown in 5-year comparison tables. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 25 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction, and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 31.7 in New Mexico to 4.3 in Rhode Island, and conversely the proportion convicted

ranges from 95.7 in Rhode Island to 68.3 in New Mexico. For the 25 States taken individually, the median proportion convicted is 79.5 percent.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions account for the great majority of defendants eliminated, ranging from 97.2 percent in New Hampshire to 48.6 percent in Utah. The median proportion dismissed for the 25 States taken individually is 81.2 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States that is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 43.1 percent in Utah to

TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1941

State	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Per- cent	Number	Per- cent	Number	Per- cent
Total, 25 States.....	14,172	9,654	68.1	1,152	8.1	3,366	23.8
California.....	1,345	928	69.0	244	18.1	173	12.9
Colorado.....	308	241	78.2	7	2.3	60	19.5
Connecticut ¹	118	101	85.6	10	8.5	7	5.9
District of Columbia.....	501	294	58.7	34	6.8	173	34.5
Idaho.....	89	81	91.0	-	0	8	9.0
Iowa.....	421	373	88.6	3	0.7	45	10.7
Kansas.....	438	377	86.1	3	0.7	58	13.2
Massachusetts.....	474	236	49.8	70	14.8	168	35.0
Minnesota.....	174	130	74.7	1	0.6	43	24.7
Montana.....	105	91	86.7	-	0	14	13.3
New Hampshire.....	36	35	97.2	-	0	1	2.8
New Jersey.....	1,174	767	65.3	241	20.5	166	14.1
New Mexico.....	309	251	81.2	5	1.6	53	17.2
New York.....	2,330	2,019	86.7	-	0	311	13.3
North Dakota.....	62	58	93.5	-	0	4	6.5
Ohio.....	760	552	72.6	97	12.8	111	14.6
Oregon.....	191	161	84.3	1	0.5	29	15.2
Pennsylvania.....	4,347	2,125	48.9	410	9.4	1,812	41.7
Rhode Island.....	22	17	77.3	1	4.5	4	18.2
South Dakota.....	50	40	80.0	-	0	10	20.0
Utah.....	72	35	48.6	6	8.3	31	43.1
Vermont.....	138	133	96.4	-	0	5	3.6
Washington.....	182	142	78.0	1	0.5	39	21.4
Wisconsin.....	478	428	89.5	18	3.8	32	6.7
Wyoming.....	48	39	81.3	-	0	9	18.8

¹Statistics are for the year July 1, 1941 through June 30, 1942.

2.8 percent in New Hampshire. The median proportion of defendants acquitted by jury for the 25 States is 14.6 percent.

Table 3 shows the number and proportion of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 98.8 percent in Rhode Island to 67.5 percent in Utah. The median percentage for the 24 States taken individually is 88.2 percent. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted for 29.6 percent of all convictions in Utah and 1.2 percent in Rhode Island. The median proportion of convictions by jury among the 24 States is 8.2 percent.

Table 4 shows, for each of the 25 States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Montana, 75.4 percent of the defendants sentenced for major offenses received a prison sentence, while Rhode Is-

land, at the other end of the scale, showed only 14.4 percent of those convicted as sentenced to prison or death. For the 25 States, the median proportion of convicted defendants receiving a prison or death sentence is 47.5 percent. Probation was used most extensively in Rhode Island, where 81.5 percent were reported as being placed on probation or given a suspended sentence. Rhode Island law permits defendants to waive indictment by the grand jury and plead nolo contendere. Such defendants very frequently receive a deferred sentence. Probation was used next most extensively in Utah where 45.0 percent of convicted defendants received such treatment. Montana reported the least use of this type of sentence with 16.1 percent, while the median percentage of the 25 States is 32.0. Pennsylvania reported the highest proportion of jail sentences, and Colorado reported the lowest. The median percentage of defendants sentenced to jail is 12.1.

Disposition and Sentence, by Offense

In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense for the 25 States combined,

TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1941

State	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total, 24 States.....	¹ 40,594	34,232	84.3	2,323	5.7	4,039	9.9
California.....	5,010	4,220	84.2	419	8.4	371	7.4
Colorado.....	1,037	932	89.9	2	0.2	103	9.9
Connecticut ²	841	786	93.5	40	4.8	15	1.8
District of Columbia.....	1,144	892	78.0	8	0.7	244	21.3
Idaho.....	339	296	87.3	3	0.9	40	11.8
Iowa.....	1,469	1,399	95.2	22	1.5	48	3.3
Kansas.....	986	864	87.6	26	2.6	96	9.7
Massachusetts.....	2,609	2,260	86.6	118	4.5	231	8.9
Minnesota.....	1,522	1,434	94.2	7	0.5	81	5.3
Montana.....	398	345	86.7	8	2.0	45	11.3
New Hampshire.....	301	274	91.0	18	6.0	9	3.0
New Jersey.....	4,117	3,542	86.0	401	9.7	174	4.2
New Mexico.....	665	569	85.6	36	5.4	60	9.0
North Dakota.....	351	339	96.6	2	0.6	10	2.8
Ohio.....	3,755	3,235	86.2	217	5.8	303	8.1
Oregon.....	857	769	89.7	15	1.8	73	8.5
Pennsylvania.....	10,064	7,560	75.1	649	6.4	1,855	18.4
Rhode Island.....	492	486	98.8	-	0	6	1.2
South Dakota.....	334	311	93.1	10	3.0	13	3.9
Utah.....	280	189	67.5	8	2.9	83	29.6
Vermont.....	395	380	96.2	4	1.0	11	2.8
Washington.....	1,152	1,022	88.7	35	3.0	95	8.2
Wisconsin.....	2,232	1,890	84.7	274	12.3	68	3.0
Wyoming.....	244	238	97.5	1	0.4	5	2.0

¹Excludes the 7,102 defendants convicted in New York State.

²Statistics are for the year July 1, 1941 through June 30, 1942.

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1941

State	Defend- ants sen- tenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent
Total, 25 States..	47,696	18,235	38.2	15,454	32.4	10,672	22.4	3,335	7.0
California.....	5,010	1,457	29.1	1,816	36.2	1,519	30.3	218	4.4
Colorado.....	1,037	733	70.7	265	25.6	34	3.3	5	0.5
Connecticut ²	841	289	34.4	231	27.5	295	35.1	26	3.1
District of Columbia...	1,144	708	61.9	293	25.6	137	12.0	6	0.5
Idaho.....	339	179	52.8	81	23.9	67	19.8	12	3.5
Iowa.....	1,469	612	41.7	266	18.1	499	34.0	92	6.3
Kansas.....	986	691	70.1	185	18.8	91	9.2	19	1.9
Massachusetts.....	2,609	³ 1,426	54.7	718	27.5	---	---	465	17.8
Minnesota.....	1,522	683	44.9	661	43.4	148	9.7	30	2.0
Montana.....	398	300	75.4	64	16.1	17	4.3	17	4.3
New Hampshire.....	301	83	27.6	130	43.2	66	21.9	22	7.3
New Jersey.....	4,117	1,491	36.2	1,399	34.0	796	19.3	431	10.5
New Mexico.....	665	343	51.6	229	34.4	45	6.8	48	7.2
New York.....	7,102	2,886	40.6	2,494	35.1	1,659	23.4	63	0.9
North Dakota.....	351	183	52.1	59	16.8	76	21.7	33	9.4
Ohio.....	3,755	1,723	45.9	1,573	41.9	301	8.0	158	4.2
Oregon.....	857	418	48.8	305	35.6	102	11.9	32	3.7
Pennsylvania.....	10,064	1,812	18.0	2,620	26.0	4,262	42.3	1,370	13.6
Rhode Island.....	492	71	14.4	401	81.5	17	3.5	3	0.6
South Dakota.....	334	204	61.1	68	20.4	53	15.9	9	2.7
Utah.....	280	133	47.5	126	45.0	18	6.4	3	1.1
Vermont.....	395	147	37.2	105	26.6	72	18.2	71	18.0
Washington.....	1,152	629	54.6	369	32.0	139	12.1	15	1.3
Wisconsin.....	2,232	899	40.3	911	40.8	246	11.0	176	7.9
Wyoming.....	244	135	55.3	85	34.8	13	5.3	11	4.5

¹Includes 50 death sentences.²Statistics are for the year July 1, 1941 through June 30, 1942.³Includes defendants sentenced to local jails, workhouses, etc.

it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. Five States—Pennsylvania, New York, California, New Jersey, and Ohio—account for about 65 percent of the cases covered, while the other 20 States account for the remainder.

Table 5 shows the number of defendants disposed of in the 25 States and those eliminated and convicted in each offense group. Auto theft, burglary, forgery and counterfeiting, and violating drug laws show in that order the highest proportions of convictions, while other major offenses and manslaughter show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 25 States for each of the three types of elimination. Defendants charged with forgery and counterfeiting show the highest

proportion of eliminations by dismissal and lowest proportion of acquittals by jury. Defendants charged with murder show the lowest proportion of eliminations by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in 24 States by type of conviction. Forgery, auto theft, larceny, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty; and murder, manslaughter, and aggravated assault are those showing the lowest. Murder and manslaughter, however, show the highest proportions of convictions by jury verdict.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 25 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sen-

TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED,
BY OFFENSE: 1941

Offense	Total disposed of	Eliminated with- out conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	61,868	14,172	22.9	47,696	77.1
Murder.....	638	236	37.0	402	63.0
Manslaughter.....	1,551	642	41.4	909	58.6
Robbery.....	4,393	1,126	25.6	3,267	74.4
Aggravated assault.....	3,135	1,952	38.0	3,183	62.0
Burglary.....	11,378	1,600	14.1	9,778	85.9
Larceny, except auto theft ¹	12,054	2,118	17.6	9,936	82.4
Auto theft.....	4,944	661	13.4	4,283	86.6
Embezzlement and fraud.....	3,522	1,193	33.9	2,329	66.1
Stolen property, receiving, etc.....	1,419	466	32.8	953	67.2
Forgery and counterfeiting.....	4,642	672	14.5	3,970	85.5
Rape.....	2,732	851	31.1	1,881	68.9
Commercialized vice.....	888	235	26.5	653	73.5
Other sex offenses.....	4,546	1,192	26.2	3,354	73.8
Violating drug laws.....	446	70	15.7	376	84.3
Carrying, etc., weapons.....	1,484	289	19.5	1,195	80.5
Other major offenses.....	2,096	869	41.5	1,227	58.5

¹Includes embezzlement and fraud in Massachusetts.TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION,
BY OFFENSE: 1941

Offense	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Per- cent	Number	Per- cent	Number	Per- cent
Total.....	14,172	9,654	68.1	1,152	8.1	3,366	23.8
Murder.....	236	110	46.6	17	7.2	109	46.2
Manslaughter.....	642	344	53.6	59	9.2	239	37.2
Robbery.....	1,126	733	65.1	92	8.2	301	26.7
Aggravated assault.....	1,952	1,071	54.9	227	11.6	654	33.5
Burglary.....	1,600	1,166	72.9	108	6.8	326	20.4
Larceny, except auto theft ¹	2,118	1,545	73.0	174	8.2	399	18.8
Auto theft.....	661	492	74.4	62	9.4	107	16.2
Embezzlement and fraud.....	1,193	892	74.8	73	6.1	228	19.1
Stolen property, receiving, etc.....	466	313	67.2	38	8.2	115	24.7
Forgery and counterfeiting.....	672	597	88.8	16	2.4	59	8.8
Rape.....	851	554	65.1	45	5.3	252	29.6
Commercialized vice.....	235	118	50.2	38	16.2	79	33.6
Other sex offenses.....	1,192	770	64.6	115	9.6	307	25.8
Violating drug laws.....	70	37	52.9	16	22.9	17	24.3
Carrying, etc., weapons.....	289	181	62.6	42	14.5	66	22.8
Other major offenses.....	869	731	84.1	30	3.5	108	12.4

¹Includes embezzlement and fraud in Massachusetts.

tence. Of the 390 defendants shown in the table as receiving death or prison sentences for murder, 50 were given the death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of receiving stolen property,

embezzlement and fraud, and auto theft. The offense groups showing the highest proportions of defendants given jail sentences were violating drug laws and carrying weapons.

As already pointed out, all reports

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1941

Offense	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per-cent	Number	Per-cent	Number	Per-cent
Total.....	¹ 40,594	34,232	84.3	2,323	5.7	4,039	9.9
Murder.....	337	165	49.0	28	8.3	144	42.7
Manslaughter.....	746	479	64.2	58	7.8	209	28.0
Robbery.....	2,688	2,029	75.5	133	4.9	526	19.6
Aggravated assault.....	2,657	1,750	65.9	320	12.0	587	22.1
Burglary.....	8,330	7,366	88.4	362	4.3	602	7.2
Larceny, except auto theft ²	7,746	6,931	89.5	384	5.0	431	5.6
Auto theft.....	3,624	3,290	90.8	187	5.2	147	4.1
Embezzlement and fraud.....	2,315	2,045	88.3	97	4.2	173	7.5
Stolen property, receiving, etc.	857	692	80.7	47	5.5	118	13.8
Forgery and counterfeiting.....	3,686	3,509	95.2	74	2.0	103	2.8
Rape.....	1,642	1,237	75.3	127	7.7	278	16.9
Commercialized vice.....	643	488	75.9	56	8.7	99	15.4
Other sex offenses.....	3,122	2,428	77.8	294	9.4	400	12.8
Violating drug laws.....	339	271	79.9	32	9.4	36	10.6
Carrying, etc., weapons.....	898	727	81.0	85	9.5	86	9.6
Other major offenses.....	964	825	85.6	39	4.0	100	10.4

¹Excludes 7,102 defendants convicted in New York State.²Includes embezzlement and fraud in Massachusetts.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1941

Offense	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
Total.....	47,696	¹ 18,235	38.2	15,454	32.4	10,672	22.4	3,335	7.0
Murder.....	402	² 390	97.0	-	0	10	2.5	2	0.5
Manslaughter.....	909	443	48.7	212	23.3	200	22.0	54	5.9
Robbery.....	3,267	2,318	71.0	429	13.1	435	13.3	85	2.6
Aggravated assault.....	3,183	1,103	34.7	841	26.4	1,009	31.7	230	7.2
Burglary.....	9,778	4,186	42.8	3,292	33.7	1,892	19.3	408	4.2
Larceny, except auto theft.....	9,936	2,808	28.3	3,744	37.7	2,641	26.6	743	7.5
Auto theft.....	4,283	1,563	36.5	1,681	39.2	832	19.4	207	4.8
Embezzlement and fraud..	2,329	520	22.3	1,011	43.4	596	25.6	202	8.7
Stolen property, receiving, etc.....	953	212	22.2	426	44.7	247	25.9	68	7.1
Forgery and counterfeiting.....	3,970	1,654	41.7	1,423	35.8	730	18.4	163	4.1
Rape.....	1,881	939	49.9	535	28.4	341	18.1	66	3.5
Commercialized vice.....	653	121	18.5	160	24.5	167	25.6	205	31.4
Other sex offenses.....	3,354	1,053	31.4	901	26.9	760	22.7	640	19.1
Violating drug laws.....	376	100	26.6	62	16.5	191	50.8	23	6.1
Carrying, etc., weapons.....	1,195	245	20.5	367	30.7	444	37.2	139	11.6
Other major offenses.....	1,227	580	47.3	370	30.2	177	14.4	100	8.1

¹Includes defendants sentenced to local jails, workhouses, etc., in Massachusetts.²Includes 50 death sentences.³Includes embezzlement and fraud in Massachusetts.

received in the Census Bureau's collection of judicial criminal statistics are made voluntarily, and in some of the 20 States reporting by the tally-sheet method reports were not received from all clerks of court. Table 9 shows, by States, the total number

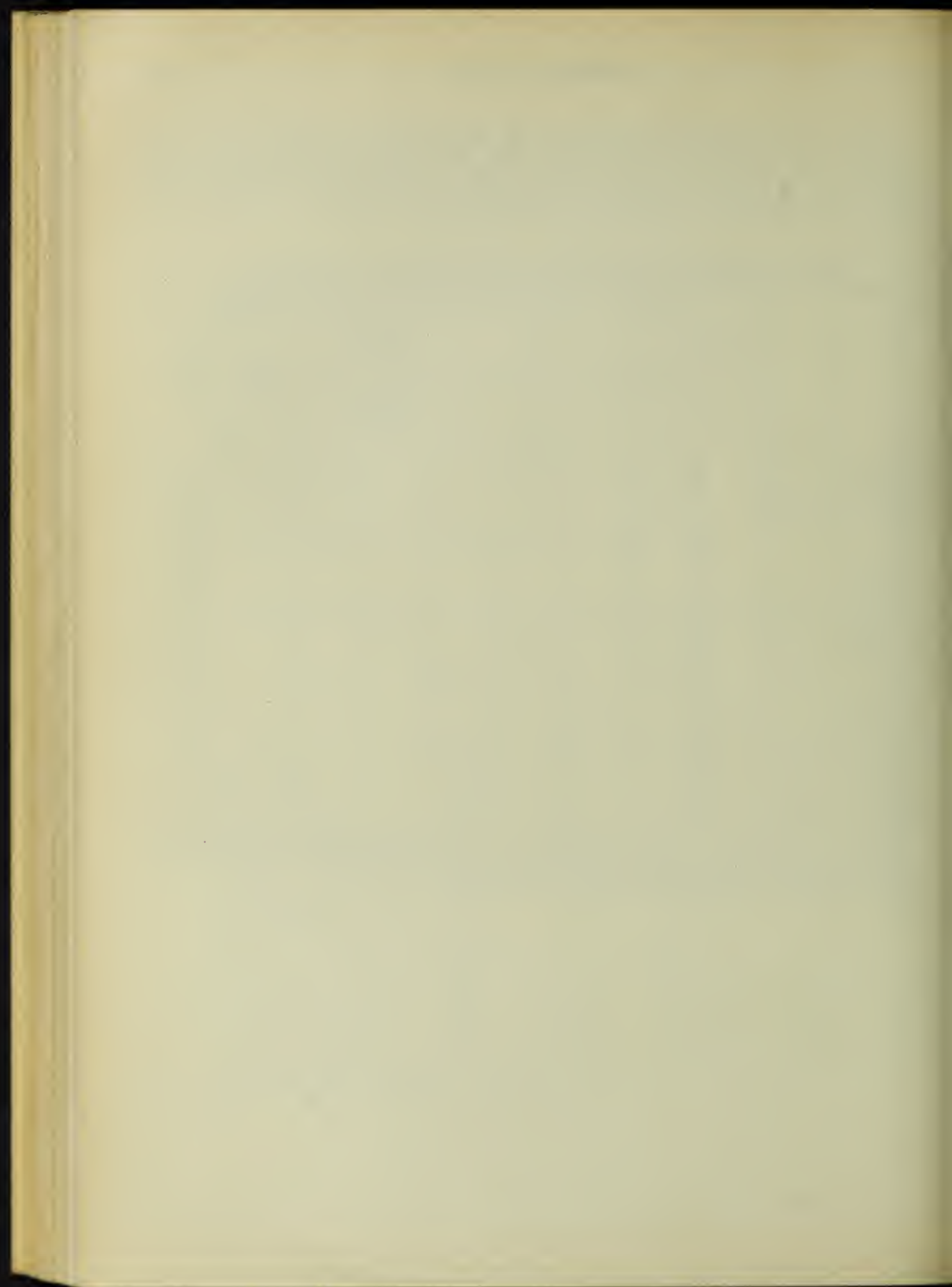
of counties and the number of courts, by type, that furnished statistics for 1941, and the percentage of the population in each State that resides within the jurisdiction of the reporting courts, as based on the 1940 census.

TABLE 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1941

State	Number of counties in State	Number of reports received from each type of court							Percent of population coverage ¹
		District	Circuit	Superior	Common pleas	Quarter session and oyer and terminer	County	Municipal	
California.....	58	...	...	37	...	...	...	...	71.8
Colorado.....	63	59	...	...	...	...	...	...	99.1
Connecticut.....	8	...	...	9	5	...	...	...	100.0
District of Columbia.....	1	1	...	...	...	...	...	...	100.0
Idaho.....	44	44	...	...	...	...	...	...	100.0
Iowa.....	99	100	...	...	...	...	...	...	100.0
Kansas.....	105	109	...	...	...	...	...	...	100.0
Massachusetts.....	14	...	...	14	...	...	...	...	100.0
Minnesota.....	87	87	...	...	...	...	...	...	100.0
Montana.....	56	56	...	...	...	...	...	...	100.0
New Hampshire.....	10	...	...	10	...	...	...	...	100.0
New Jersey.....	21	...	...	...	...	20	...	...	94.8
New Mexico.....	31	31	...	...	...	...	...	...	100.0
New York.....	62	...	...	...	...	...	62	...	100.0
North Dakota.....	53	51	...	...	...	...	...	...	97.3
Ohio.....	88	...	...	...	88	...	...	...	100.0
Oregon.....	36	...	35	...	...	...	...	...	99.7
Pennsylvania.....	67	...	...	...	...	63	...	...	97.7
Rhode Island.....	5	...	...	^a 4	...	...	...	...	100.0
South Dakota.....	69	...	^a 64	...	...	...	...	...	100.0
Utah.....	29	27	...	...	...	...	...	...	96.2
Vermont.....	14	...	...	...	...	...	12	12	---
Washington.....	39	...	...	36	...	...	...	...	95.7
Wisconsin.....	71	...	63	2	...	...	38	10	---
Wyoming.....	23	23	...	...	...	...	...	...	100.0

¹Percent of the population of the State residing within the jurisdictional limits of reporting courts as based on the 1940 census. Percent of coverage could not be computed for States in which some courts having concurrent jurisdiction within certain counties did not report.

²Several counties in these States were combined with other counties for reporting purposes.



JUDICIAL CRIMINAL STATISTICS

MASSACHUSETTS, 1941

The Bureau of the Census received from the Massachusetts Department of Correction reports on 3,083 defendants charged with major offenses who were disposed of in the superior courts of the 14 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome of defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in the superior courts are presented in table 4 by offense.

The tables present an enumeration of only those defendants charged with a major offense and actually brought before a court having felony jurisdiction. Cases were disposed of by the court during the calendar year. If not convicted, a defendant charged with more than one offense was tabulated by the most serious offense charged, but in the case of conviction, by the most serious offense of which convicted.

Of the 3,083 defendants charged with major offenses in 1941, 2,609, or about 8 out of every 10, were convicted and sentenced; and of these, 1,425, or about 5 out of every 10, were sentenced to imprisonment; 718, or about 3 out of every 10, were placed on probation or given a suspended sentence; while 404, or about 2 out of every 10, were placed on file for conviction. Sixteen defendants were charged with murder; of these, 10 were convicted, 1 sentenced to death, and 9 imprisoned. In 1941, of the 2,030 defendants charged with major crimes against property—burglary, larceny, auto theft, stolen property, and every) 1,789, or about 9 out of every 10, were convicted.

Of the 682 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape), 551, or 8 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 68.8 in 1937 to 81.0 in 1939, and then decreased to 71.4 in 1941. The rate for defendants convicted of major offenses was 60.4 in 1941 as compared with 65.4 in 1939 and 57.2 in 1937. More defendants have been charged and convicted of burglary than for any other offense during the 5-year period although the rates were high for auto theft and larceny. The rate for defendants convicted of burglary increased from 19.0 in 1937 to 22.1 in 1939 and then decreased to 18.2 in 1941. The rate for defendants convicted of murder alternated between 0.2 and 0.3 per 100,000 population during the 5-year period. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted but the percent of convictions, in general, has increased from 77.6 in 1938 to 84.6 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 73.3 percent of all defendants pleaded guilty as compared with 3.8 percent who were found guilty by court and 7.5 percent found guilty by jury. (See table 2.)

Annually over the past 5 years more than half of all convicted defendants have been sentenced to imprisonment. The proportion in 1941 of 54.6 percent imprisoned represented a slight increase over the previous year, after having decreased from 58.1 percent in 1937 to 52.3 percent in 1938. Each year about one-third of all defendants convicted have been placed on probation or given a suspended sentence, although this percentage decreased from 35.7 in 1938 to 27.5 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN MASSACHUSETTS, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	3,083	3,194	3,548	3,085	3,044	71.4	74.0	81.0	69.7	68.8
MURDER.....	16	19	17	25	12	0.4	0.4	0.4	0.6	0.3
MANSLAUGHTER.....	31	17	41	24	31	0.7	0.4	0.9	0.5	0.7
ROBBERY.....	273	406	416	368	404	6.3	9.4	9.5	8.3	9.1
AGGRAVATED ASSAULT.....	144	111	168	98	163	3.3	2.6	3.8	2.2	3.7
LARCENY.....	845	962	1,057	986	927	19.6	22.3	24.1	22.3	21.0
BURGLARY, EXCEPT AUTO THEFT ¹	630	566	527	728	441	14.6	13.1	12.0	16.4	10.0
AUTO THEFT.....	404	311	354	190	321	9.4	7.2	8.1	4.3	7.3
STOLEN PROPERTY, RECEIVING, ETC....	52	62	59	71	51	1.2	1.4	1.3	1.6	1.2
FORGERY AND COUNTERFEITING.....	99	57	44	46	50	2.3	1.3	1.0	1.0	1.1
MAJOR OFFENSES.....	218	275	241	234	225	5.1	6.4	5.5	5.3	5.1
	371	408	624	315	419	8.6	9.5	14.2	7.1	9.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	2,609	2,647	2,865	2,393	2,529	60.4	61.3	65.4	54.1	57.2
MURDER.....	10	12	8	15	11	0.2	0.3	0.2	0.3	0.2
MANSLAUGHTER.....	24	13	12	15	18	0.6	0.3	0.3	0.3	0.4
ROBBERY.....	223	333	342	238	331	5.2	7.7	7.8	5.4	7.5
AGGRAVATED ASSAULT.....	115	82	137	74	129	2.7	1.9	3.1	1.7	2.9
LARCENY.....	784	874	969	868	840	18.2	20.2	22.1	19.6	19.0
BURGLARY, EXCEPT AUTO THEFT ¹	518	434	445	484	335	12.0	10.1	10.2	10.9	7.6
AUTO THEFT.....	357	273	286	161	281	8.3	6.3	6.5	3.6	6.4
STOLEN PROPERTY, RECEIVING, ETC....	41	46	51	57	40	0.9	1.1	1.2	1.3	0.9
FORGERY AND COUNTERFEITING.....	89	50	42	38	42	2.1	1.2	1.0	0.9	0.9
MAJOR OFFENSES.....	179	212	200	196	189	4.1	4.9	4.6	4.4	4.3
	269	318	373	247	313	6.2	7.4	8.5	5.6	7.1

¹LARCENY, EXCEPT AUTO THEFT, INCLUDES EMBEZZLEMENT AND FRAUD.

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	3083	100.0	3194	100.0	3548	100.0	3085	100.0	3044	100.0
ELIMINATED WITHOUT CONVICTION.....	474	15.4	547	17.1	683	19.3	692	22.4	515	16.9
DISMISSED.....	235	7.6	242	7.6	393	11.1	441	14.3	304	10.0
ACQUITTED BY COURT (JURY WAIVED).....	70	2.3	95	3.0	93	2.6	109	3.5	66	2.2
ACQUITTED BY JURY.....	168	5.4	209	6.5	195	5.5	139	4.5	145	4.8
OTHER NO-PENALTY DISPOSITION.....	3	0.1	1	0.0	2	0.1	3	0.1	-	0
CONVICTED.....	2609	84.6	2647	82.9	2865	80.7	2393	77.6	2529	83.1
ON FILE AFTER CONVICTION.....	2260	73.3	2270	71.1	2450	69.1	2041	66.2	2129	69.9
COURT FINDS GUILTY (JURY WAIVED).....	118	3.8	132	4.1	103	2.9	137	4.4	76	2.5
JURY VERDICT GUILTY.....	231	7.5	245	7.7	312	8.8	215	7.0	324	10.6

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	2609	100.0	2647	100.0	2865	100.0	2393	100.0	2529	100.0
DEATH PENALTY.....	1	0.0	1	0.0	2	0.1	1	0.0	1	0.0
IMPRISONMENT ¹	1425	54.6	1428	53.9	1587	55.4	1253	52.3	1469	58.1
PROBATION OR SUSPENDED SENTENCE.....	718	27.5	735	27.8	940	32.8	834	35.7	736	29.1
FINE OR COSTS ONLY.....	20	0.8	10	0.4	21	0.7	17	0.7	24	0.9
INSTITUTIONS FOR JUVENILES ONLY.....	-	-	-	-	-	-	-	-	-	-
ON FILE AFTER CONVICTION.....	445	17.1	473	17.9	315	11.0	268	11.2	299	11.8

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1941

OFFENSE	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT					
	DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	IMPRISONMENT ¹	PROBATION OR SUSPENDED SENTENCE	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	ON FILE AFTER CONVICTION
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED						
ALL OFFENSES.....	3,837	682	398	81	200	3,155	1	1,608	857	93	-	596
MAJOR OFFENSES, TOTAL.....	3,083	474	233	70	168	2,609	1	1,425	718	20	-	445
MURDER.....	16	6	4	-	1	10	1	9	-	-	-	-
MANSLAUGHTER.....	31	7	-	8	7	24	-	24	32	-	-	17
ROBBERY.....	273	50	18	8	24	223	-	174	32	3	-	19
AGGRAVATED ASSAULT.....	144	29	6	8	13	115	-	69	297	-	-	87
BURGLARY.....	845	61	35	13	34	784	-	400	226	3	-	171
LARCENY, EXCEPT AUTO THEFT.....	630	112	74	4	34	518	-	183	109	2	-	63
AUTO THEFT.....	404	47	29	11	7	357	-	10	18	6	-	7
STOLEN PROPERTY RECEIVING, ETC.....	52	11	8	1	2	41	-	37	44	-	-	24
FORGERY AND COUNTERFEITING.....	99	10	9	-	1	89	-	129	2	-	-	6
RAPE.....	218	39	11	6	22	179	-	11	21	-	-	11
COMMERCIALIZED VICE.....	48	31	16	-	15	17	-	62	4	-	-	2
OTHER SEX OFFENSES.....	115	21	6	10	5	94	-	3	3	-	-	18
VIOLATING DRUG LAWS.....	7	1	-	1	-	6	-	31	4	-	-	16
CARRYING, ETC., WEAPONS.....	63	6	2	1	3	57	-	57	3	-	-	11
OTHER MAJOR OFFENSES.....	138	43	15	7	21	95	-	9	6	-	-	2
ABORTION.....	20	8	4	2	2	12	-	19	3	-	-	11
ADULTERY.....	62	26	4	5	17	36	-	6	3	-	-	2
BIGAMY.....	10	1	1	-	-	9	-	3	1	-	-	3
BLACKMAIL AND EXTORTION.....	6	1	1	-	-	5	-	15	2	-	-	-
ESCAPE AND JAIL BREAK.....	16	-	-	-	-	16	-	5	6	-	-	-
KIDNAPING.....	9	-	2	-	-	7	-	1	2	-	-	-
PERJURY.....	15	5	3	-	2	10	-	-	6	-	-	-
MINOR OFFENSES ³	754	208	165	11	32	546	-	183	139	73	-	151

¹ INCLUDES DEFENDANTS SENTENCED TO STATE PRISONS AND REFORMATORIES AND LOCAL JAILS, WORKHOUSES, ETC.² LARCENY, EXCEPT AUTO THEFT, INCLUDES EMBEZZLEMENT AND FRAUD.³ INCLUDES DEFENDANTS SENTENCED TO STATE PRISONS AND REFORMATORIES AND LOCAL JAILS, WORKHOUSES, ETC.

JUDICIAL CRIMINAL STATISTICS

RHODE ISLAND, 1941

The Bureau of the Census received from the Department of Social Welfare at Providence reports on 514 defendants charged with major offenses who were disposed of in the 4 superior courts of Rhode Island during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome of defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction and whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 514 persons charged with major offenses in 1941, 492, or about 19 out of every 20, were convicted and sentenced; of these, 401, or about 16 out of every 20, were placed on probation or given a suspended sentence; and 71, or about 3 out of every 20, were sentenced to a State prison or reformatory. No defendants were charged with murder; of the 2 charged with manslaughter, 1 was convicted and imprisoned. Of the 404 defendants charged with major crimes against property in 1941 (burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 395, or about 19 out of every 20, were convicted. Of the 67 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape) 61, or about 18 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 81.9 in 1937 to 93.8 in 1938 and then decreased to 72.1 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 80.7 in 1937 to 90.0 in 1938 and then decreasing to 69.0 in 1941. More defendants were charged and convicted of burglary than of any other offense during 1941, although the figures were rather high for auto theft. The rate for defendants convicted of burglary increased from 36.6 in 1937 to 43.9 in 1939 and then decreased to 31.0 in 1941. The conviction rate for auto theft increased steadily from 12.2 in 1938 to 16.7 in 1941. In the past 5 years, 1941 was the only year in which there were no dispositions for murder. (See table 1.)

During the past 5 years, about 19 out of every 20 defendants charged with major offenses were convicted. Although the percent of convictions fluctuated somewhat from year to year, there was, in general, a decrease from 98.6 in 1937 to 95.7 in 1941. Of all defendants convicted, the greatest proportion entered a plea of nolo contendere or not guilty. In 1941, 94.6 percent of all defendants pleaded nolo contendere, while only 1.2 percent were found guilty by jury. (See table 2.)

Annually over the past 5 years more than three-fifths of all convicted defendants have been placed on probation or given a suspended sentence. The proportion so sentenced showed no definite trend prior to 1939, but since that year has increased from 60.3 percent to 81.5 in 1941. The percent of convicted defendants sentenced to prison or reformatory decreased from 31.0 in 1939 to 14.4 in 1941, and those sentenced to pay a fine or to imprisonment in a local institution similarly decreased.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES, IN RHODE ISLAND, BY NUMBER AND RATE PER 100,000 POPULATION, 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	514	600	632	651	568	72.1	84.1	90.1	93.8	81.9
MURDER.....	-	2	1	2	2	0	0.3	0.1	0.3	0.3
MANSLAUGHTER.....	2	3	5	3	5	0.3	0.4	0.7	0.4	0.7
ROBBERY.....	28	20	29	43	9	3.9	2.8	4.1	6.2	1.3
AGGRAVATED ASSAULT.....	29	33	4	11	29	4.1	4.6	0.6	1.6	4.2
BURGLARY.....	224	258	310	304	254	31.4	36.2	44.2	43.8	36.6
LARCENY, EXCEPT AUTO THEFT.....	14	21	18	15	25	2.0	2.9	2.6	2.2	3.6
AUTO THEFT.....	122	109	95	85	117	17.1	15.3	13.5	12.2	16.9
EMBEZZLEMENT AND FRAUD.....	17	62	28	17	26	2.4	8.7	4.0	2.4	3.7
STOLEN PROPERTY, RECEIVING, ETC.....	3	1	3	1	1	0.4	0.1	0.4	0.1	0.1
FORGERY AND COUNTERFEITING.....	24	12	17	25	13	3.4	1.7	2.4	3.6	1.9
RAPE.....	8	26	26	35	28	1.1	3.6	3.7	5.0	4.0
OTHER MAJOR OFFENSES.....	43	53	96	110	59	6.0	7.4	13.7	15.8	8.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	492	571	625	625	560	69.0	80.0	89.1	90.0	80.7
MURDER.....	-	1	1	2	2	0	0.1	0.1	0.3	0.3
MANSLAUGHTER.....	1	3	5	3	5	0.1	0.4	0.7	0.4	0.7
ROBBERY.....	25	20	28	41	8	3.5	2.8	4.0	5.9	1.2
AGGRAVATED ASSAULT.....	28	32	4	11	29	3.9	4.5	0.6	1.6	4.2
BURGLARY.....	221	254	308	302	254	31.0	35.6	43.9	43.5	36.6
LARCENY, EXCEPT AUTO THEFT.....	13	20	18	15	23	1.8	2.8	2.6	2.2	3.3
AUTO THEFT.....	119	103	95	85	117	16.7	14.4	13.5	12.2	16.9
EMBEZZLEMENT AND FRAUD.....	16	50	28	15	26	2.2	7.0	4.0	2.2	3.7
STOLEN PROPERTY, RECEIVING, ETC.....	3	1	3	1	1	0.4	0.1	0.4	0.1	0.1
FORGERY AND COUNTERFEITING.....	23	12	17	25	12	3.2	1.7	2.4	3.6	1.7
RAPE.....	7	26	25	35	27	1.0	3.6	3.6	5.0	3.9
OTHER MAJOR OFFENSES.....	36	49	93	90	56	5.0	6.9	13.3	13.0	8.1

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	492	100.0	571	100.0	625	100.0	625	100.0	560	100.0
DEATH PENALTY.....	—	0	—	0	—	0	—	0	—	0
STATE PRISONS OR REFORMATORIES.....	71	14.4	116	20.3	194	31.0	162	25.9	146	26.1
PROBATION OR SUSPENDED SENTENCE.....	401	81.5	423	74.1	377	60.3	405	64.8	346	61.8
LOCAL JAILS, WORKHOUSES, ETC.....	17	3.5	27	4.7	46	7.4	57	9.1	59	10.5
FINE OR COSTS ONLY.....	3	0.6	5	0.9	8	1.3	1	0.2	3	0.5
INSTITUTIONS FOR JUVENILES ONLY.....	—	0	—	0	—	0	—	0	—	0
OTHER SENTENCE.....	—	0	—	0	—	0	—	0	—	0

TABLE 2.—PROCEDURAL OUTCOME OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	514	100.0	600	100.0	632	100.0	651	100.0	568	100.0
ELIMINATED WITHOUT CONVICTION.....	20	3.9	29	4.8	7	1.1	28	4.0	8	1.4
DISMISSED OR WHILE PROSECUTED.....	17	3.3	17	2.8	7	1.1	26	4.0	4	0.7
ACQUITTED BY COURT (JURY WAIVED).....	1	0.2	—	—	—	0	—	—	—	—
ACQUITTED BY JURY.....	4	0.8	11	1.8	—	0	—	—	4	0.7
OTHER NON-PENALTY DISPOSITION.....	—	—	—	—	—	0	—	—	—	—
CONVICTION.....	494	96.1	571	95.2	625	98.9	623	96.0	560	98.6
NO CONVICTION.....	—	—	—	—	—	0	—	—	—	—
JUST FLEES OR JURY WAIVED.....	456	88.7	565	94.2	625	98.9	623	96.0	557	98.1
JURY VERDICT GUILTY.....	—	—	—	—	—	0	—	—	—	—
JURY VERDICT NOT GUILTY.....	—	—	—	—	—	0	—	—	—	—
ALL OTHERS.....	—	—	—	—	—	0	—	—	—	—

1 INCLUDES PLEAS OF GUILTY.

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
		DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISON OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED OR NOLLE PROSEQUI	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	NOLLO CONTENDERE	COURT FINES GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	797	296	290	1	4	1	501	493	-	8	-	72	407	19	3	-	-	-
MAJOR OFFENSES, TOTAL.....	514	22	17	1	4	-	492	486	-	6	-	71	401	17	3	-	-	-
MURDER.....	2	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-	-
ROBBERY.....	28	3	2	-	1	-	25	21	-	4	-	17	7	1	-	-	-	-
AGGRAVATED ASSAULT.....	29	1	1	-	-	-	28	27	-	1	-	8	18	2	-	-	-	-
BURGLARY.....	224	3	2	-	1	-	221	221	-	-	-	20	199	2	-	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	14	1	1	-	-	-	13	13	-	-	-	2	10	4	-	-	-	-
AUTO THEFT.....	122	3	2	1	-	-	119	119	-	-	-	9	106	-	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	17	1	1	-	-	-	16	16	-	-	-	6	8	2	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	3	-	-	-	-	-	3	3	-	-	-	-	2	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	24	1	1	-	-	-	23	23	-	-	-	1	20	2	-	-	-	-
RAPE.....	8	1	1	-	-	-	7	7	-	-	-	1	6	-	-	-	-	-
COMMERCIALIZED VICE.....	2	1	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	-
OTHER SEX OFFENSES.....	17	2	1	-	1	-	15	15	-	-	-	5	10	-	-	-	-	-
VIOLATING DRUG LAWS.....	1	-	-	-	-	-	1	1	-	-	-	-	1	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	11	1	1	-	-	-	10	10	-	-	-	-	7	2	-	-	-	-
OTHER MAJOR OFFENSES.....	12	3	3	-	-	-	9	9	-	-	-	1	6	2	-	-	-	-
ABORTION.....	1	-	-	-	-	-	1	1	-	-	-	-	1	-	-	-	-	-
ADULTERY.....	5	2	2	-	-	-	3	3	-	-	-	-	3	-	-	-	-	-
BIGAMY.....	2	-	-	-	-	-	2	2	-	-	-	-	2	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	3	-	-	-	-	-	3	3	-	-	-	1	-	2	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	283	274	273	-	-	1	9	7	-	2	-	1	6	2	-	-	-	-

1 INCLUDES PLEA OF GUILTY FOR BURGLARY.

JUDICIAL CRIMINAL STATISTICS

MONTANA, 1941

The Bureau of the Census received from clerks of court in Montana reports on 503 defendants charged with major offenses who were disposed of in the district courts of the 56 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome of defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. If not convicted, a defendant charged with more than one offense was tabulated by the most serious offense charged, but in the case of conviction, by the most serious offense of which convicted.

Of the 503 defendants charged with major offenses in 1941, 398, or about 8 out of every 10, were convicted and sentenced; and of these, 300, or about 15 out of every 20, were sentenced to prisons or reformatories; 64, or about 3 out of every 20, were placed on probation or given a suspended sentence. Of the 10 defendants who were charged with murder, 7 were convicted and imprisoned. Of the 364 defendants charged with major crimes against property in 1941 (burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 304, or about 8 out of every 10, were convicted. Of the 100 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape) 65, or about 7 out of every 10, were con-

victed. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has decreased to 89.9 in 1941 from 111.3 in 1937. The rate for defendants convicted of major offenses has decreased from 87.6 in 1938 to 71.1 in 1941. More defendants were charged and convicted of larceny than of any other offense during 1941, although the rates in previous years were generally higher for burglary. Convictions for forgery and counterfeiting ranked second in volume in 1941, for the first time, the rate per 100,000 population having steadily increased since 1937. The rate for defendants convicted of larceny in 1941 was 19.1; forgery and counterfeiting, 16.1; and burglary, 14.3. The rate for defendants convicted of murder in 1941 was 1.3 as compared with 2.3 in 1937. (See table 1.)

During the past 5 years, 8 or 9 out of every 10 defendants charged with major offenses were convicted. Although the percent of defendants convicted decreased to 79.1 in 1941 from 85.8 in 1938, it was not so low as in 1937 when only 77.1 percent were convicted. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 68.6 percent of all defendants pleaded guilty, whereas only 8.9 percent were found guilty by jury and 1.6 percent by court. (See table 2.)

Nearly three-fourths of all defendants convicted during each of the past 5 years were sentenced to imprisonment in a State prison or reformatory. In 1941, 75.4 percent of all convicted defendants were so sentenced, as compared with 16.1 percent placed on probation or given a suspended sentence, and 4.3 percent sentenced to local jails or workhouses. In 1940, 77.5 percent were sentenced to State prisons or reformatories, while in 1938 the percentage was 70.9. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN MONTANA,
BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	503	549	375	345	586	89.9	98.1	97.0	102.1	111.3
MURDER.....	10	8	8	5	18	1.8	1.4	2.1	1.5	3.4
MANSLAUGHTER.....	5	5	6	6	15	0.9	0.9	1.6	1.8	2.8
ROBBERY.....	27	31	16	19	40	4.8	5.5	4.1	5.6	7.6
AGGRAVATED ASSAULT.....	22	30	22	18	42	3.9	5.4	5.7	5.3	8.0
BURGLARY.....	99	149	93	89	139	17.7	26.6	24.1	26.3	26.4
LARCENY, EXCEPT AUTO THEFT.....	134	115	97	81	130	24.0	20.6	25.1	24.0	24.7
AUTO THEFT.....	19	42	14	21	28	3.4	7.5	3.6	6.2	5.3
EMBEZZLEMENT AND FRAUD.....	7	7	12	12	13	1.3	1.3	3.1	3.6	2.5
STOLEN PROPERTY, RECEIVING, ETC.....	7	28	6	6	11	1.3	5.0	1.6	1.8	2.1
FORGERY AND COUNTERFEITING.....	98	91	61	46	54	17.5	16.3	15.8	13.6	10.3
RAPE.....	36	27	13	17	45	6.4	4.8	3.4	5.0	8.5
OTHER MAJOR OFFENSES.....	39	16	27	25	51	7.0	2.9	7.0	7.4	9.7
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	398	453	321	296	452	71.1	81.0	83.1	87.6	85.8
MURDER.....	7	5	6	5	12	1.3	0.9	1.6	1.5	2.3
MANSLAUGHTER.....	3	1	3	2	7	0.5	0.2	0.8	0.6	1.3
ROBBERY.....	21	23	10	16	33	3.8	4.1	2.6	4.7	6.3
AGGRAVATED ASSAULT.....	18	23	20	15	21	3.2	4.1	5.2	4.4	4.0
BURGLARY.....	90	131	89	81	119	14.3	23.4	23.0	24.0	22.6
LARCENY, EXCEPT AUTO THEFT.....	107	95	78	69	103	19.1	17.0	20.2	20.4	19.6
AUTO THEFT.....	15	33	14	20	25	2.7	5.9	3.6	5.9	4.7
EMBEZZLEMENT AND FRAUD.....	6	4	9	10	8	1.1	0.7	2.3	3.0	1.5
STOLEN PROPERTY, RECEIVING, ETC.....	6	26	4	5	10	1.1	4.6	1.0	1.5	1.9
FORGERY AND COUNTERFEITING.....	90	84	58	44	52	16.1	15.1	15.0	13.0	10.0
RAPE.....	16	17	9	12	22	2.9	3.0	2.3	3.6	4.2
OTHER MAJOR OFFENSES.....	29	11	21	17	40	5.2	2.0	5.4	5.0	7.6

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 96.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 61.9 PERCENT FOR 1938, 70.0 PERCENT FOR 1939, AND 100.0 PERCENT FOR 1940-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON LATEST ESTIMATED POPULATION. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	503	100.0	549	100.0	375	100.0	345	100.0	586	100.0
ELIMINATED WITHOUT CONVICTION.....	105	20.9	96	17.5	54	14.4	49	14.2	134	22.9
DISMISSED BY COURT (JURY WAIVED).....	90	17.9	71	12.9	43	11.5	35	10.1	100	17.1
ACQUITTED BY COURT (JURY WAIVED).....	14	2.8	21	3.8	10	2.7	14	4.1	28	4.8
OTHER NO-PENALTY DISPOSITION.....	1	0.2	4	0.7	1	0.3	-	-	6	1.0
CONVICTED.....	398	79.1	453	82.5	321	85.6	296	85.8	452	77.1
PLEA OF GUILTY.....	345	68.6	390	71.0	294	78.4	275	79.7	379	64.7
COURT FINDS GUILTY (JURY WAIVED).....	8	1.6	21	3.8	2	0.5	3	0.9	4	0.7
JURY VERDICT GUILTY.....	45	8.9	42	7.7	25	6.7	18	5.2	69	11.8

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	398	100.0	453	100.0	321	100.0	296	100.0	452	100.0
DEATH PENALTY.....	-	0	-	0	1	0.3	1	0.3	-	0
STATE PRISONS OR REFORMATORIES.....	300	75.4	351	77.5	248	77.3	210	70.9	338	74.8
PROBATION OR SUSPENDED SENTENCE.....	64	16.1	62	13.7	46	14.3	58	19.6	90	19.9
LOCAL JAILS, WORKHOUSES, ETC.....	17	4.3	24	5.3	13	4.0	22	7.4	15	3.3
FINE OR COSTS ONLY.....	9	2.3	5	1.1	6	1.9	1	0.3	4	0.9
INSTITUTIONS FOR JUVENILES.....	8	2.0	11	2.4	7	2.2	4	1.4	5	1.1
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	TOTAL DISPOSED OF WITHOUT CONVICTION		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED OR SENTENCED		PLEA OF GUILTY		COURT FINDS GUILTY (JURY WAIVED)		JURY VERDICT GUILTY
ALL OFFENSES.....	609	132	114	-	-	17	1	477	403	19	55	-	310	75	26	46	20
MAJOR OFFENSES, TOTAL.....	503	105	90	-	-	14	1	398	345	8	45	-	300	64	17	9	8
MURDER.....	10	3	1	-	-	2	-	7	3	-	4	-	7	-	-	-	-
MANSLAUGHTER.....	5	2	4	-	-	1	-	3	19	-	2	-	19	2	-	-	-
ROBBERY.....	27	6	4	-	-	1	-	21	13	-	5	-	12	4	-	-	-
AGGRAVATED ASSAULT.....	99	19	19	-	-	5	-	80	66	4	10	-	64	14	-	-	2
BURGLARY.....	134	27	22	-	-	5	-	107	95	2	10	-	68	26	4	6	3
LARCENY, EXCEPT AUTO THEFT.....	19	4	4	-	-	-	-	15	14	-	1	-	9	3	2	1	-
AUTO THEFT.....	7	1	1	-	-	-	-	6	5	-	1	-	5	1	1	-	-
EMBEZZLEMENT AND FRAUD.....	7	1	1	-	-	-	-	6	2	-	4	-	5	8	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	98	8	8	-	-	-	-	90	89	1	2	-	79	1	1	1	2
FORGERY AND COUNTERFEITING.....	36	20	18	-	-	2	-	16	11	1	4	-	13	2	-	-	1
RAPE.....	1	1	1	-	-	1	-	10	7	-	3	-	8	1	6	-	-
COMMERCIALIZED VICE.....	12	1	1	-	-	1	-	7	5	-	-	-	2	1	1	-	-
OTHER SEX OFFENSES.....	8	1	1	-	-	-	-	5	5	-	-	-	2	1	1	-	-
VIOLATING DRUG LAWS.....	7	2	2	-	-	-	-	7	6	-	1	-	6	1	-	-	-
CARRYING, ETC., WEAPONS.....	11	4	4	-	-	-	-	7	7	-	-	-	6	1	-	-	-
OTHER MAJOR OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	3	2	2	-	-	-	-	1	1	-	1	-	1	1	-	-	-
ARSON.....	2	1	1	-	-	-	-	1	1	-	-	-	1	1	-	-	-
BIGAMY.....	2	1	1	-	-	-	-	1	1	-	-	-	1	1	-	-	-
BLACKMAIL AND EXTORTION.....	1	1	1	-	-	-	-	1	4	-	-	-	4	-	-	-	-
ESCAPE AND JAIL BREAK.....	4	-	-	-	-	-	-	4	1	-	-	-	1	-	-	-	-
KIDNAPING.....	1	-	-	-	-	-	-	1	1	-	-	-	1	-	-	-	-
PERJURY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES ¹	106	27	24	-	-	3	-	79	58	11	10	-	10	11	9	37	12

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

JUDICIAL CRIMINAL STATISTICS

NEW YORK, 1941

The Bureau of the Census received from the New York State Department of Correction reports on 9,432 defendants charged with major offenses who were disposed of in the trial courts of the 62 counties (including the 5 counties that are boroughs of New York City) during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment for all defendants disposed of in 1941 are presented, by offense, in table 4.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction. Those cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated as the most serious offense charged, and, in the case of conviction, by the offense for which sentenced.

Of the 9,432 defendants charged with major offenses in 1941, 7,102, or about 8 out of every 10, were convicted and sentenced; of these, 2,865, or about 8 out of every 20, were sentenced to imprisonment in a State institution for adults; 2,494, or about 7 out of every 20, were placed on probation or given a suspended sentence; and 1,659, or about 5 out of every 10, were sentenced to imprisonment in a local institution. Of the 114 defendants charged with murder, were convicted; of these, 21 received the death penalty and 42 were imprisoned in a State prison or reformatory. Of the 5,631 defendants charged with major crimes against property in 1941 (burglary, lar-

ceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 4,691, or about 8 out of every 10, were convicted. Of the 2,265 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape) 1,572, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has fluctuated from year to year, but the greatest change was a decrease from 80.1 in 1940 to 70.0 in 1941. The rate for defendants convicted of major offenses increased from 57.8 in 1937 to 59.3 in 1939 and then decreased to 52.7 in 1941. More defendants were charged with and convicted of larceny in 1941, 1940, and 1937 than of any other offense, while in 1939 and 1938 more were charged with and convicted of burglary. In 1941 the rate for defendants convicted of larceny was 16.2, as compared with 10.7 for burglary, whereas in 1939 the rate for burglary was 15.4, as compared with 15.2 for larceny. The rate for defendants convicted of murder has remained rather constant at 0.5 or 0.6 during the past 5 years. (See table 1.)

During the 5-year period, about 3 out of every 4 defendants charged with major offenses were convicted. The percentage of defendants convicted fluctuated from year to year, being 75.3 in 1941, as compared with 72.6 in 1940 and 78.0 in 1939. Data showing procedural outcome for defendants convicted is not available for New York. (See table 2.)

Annually over the past 5 years, about two-fifths of all convicted defendants have been sentenced to imprisonment in State institutions, but the percentage so sentenced has shown a slight decrease (43.6 percent to 40.3) from 1938 to 1941. The percentage of defendants placed on probation or given a suspended sentence increased from 31.8 in 1937 to 36.3 in 1940, but dropped to 35.1 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW YORK, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	9,432	10,797	10,153	10,687	10,316	70.0	80.1	76.0	79.4	76.8
MURDER.....	114	146	106	112	141	0.8	1.1	0.8	0.8	1.1
MANSLAUGHTER.....	229	210	222	222	251	1.7	1.6	1.7	1.7	1.9
ROBBERY.....	818	1,179	947	1,169	995	6.1	8.7	7.1	3.7	7.4
AGGRAVATED ASSAULT.....	737	787	816	924	998	5.5	5.8	6.1	6.9	7.4
BURGLARY.....	1,817	2,359	2,413	2,491	2,207	13.5	17.5	18.1	18.5	16.4
LARCENY, EXCEPT AUTO THEFT.....	2,485	2,799	2,375	2,453	2,601	18.4	20.8	17.8	18.2	19.4
AUTO THEFT.....	778	789	732	653	544	5.8	5.9	5.5	4.9	4.1
EMBEZZLEMENT AND FRAUD.....	20	30	17	41	158	0.1	0.2	0.1	0.3	1.2
STOLEN PROPERTY, RECEIVING, ETC.....	174	221	177	231	202	1.3	1.6	1.3	1.7	1.5
FORGERY AND COUNTERFEITING.....	357	505	408	446	335	2.6	3.7	3.1	3.3	2.5
RAPE.....	367	433	437	398	438	2.7	3.2	3.3	3.0	3.3
OTHER MAJOR OFFENSES.....	1,536	1,339	1,503	1,547	1,446	11.4	9.9	11.2	11.5	10.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	7,102	7,834	7,924	7,803	7,760	52.7	58.1	59.3	58.0	57.8
MURDER.....	65	85	61	67	77	0.5	0.6	0.5	0.5	0.6
MANSLAUGHTER.....	163	149	139	125	160	1.2	1.1	1.0	0.9	1.2
ROBBERY.....	579	700	691	793	694	4.3	5.2	5.2	5.9	5.2
AGGRAVATED ASSAULT.....	526	484	568	607	662	3.9	3.6	4.3	4.5	4.9
BURGLARY.....	1,448	1,883	2,058	2,060	1,914	10.7	14.0	15.4	15.3	14.3
LARCENY, EXCEPT AUTO THEFT.....	2,190	2,294	2,026	2,045	2,128	16.2	17.0	15.2	15.2	15.9
AUTO THEFT.....	659	665	623	535	456	4.9	4.9	4.7	4.0	3.4
EMBEZZLEMENT AND FRAUD.....	14	10	5	15	76	0.1	0.1	0.0	0.1	0.6
STOLEN PROPERTY, RECEIVING, ETC.....	96	114	85	80	106	0.7	0.8	0.6	0.6	0.8
FORGERY AND COUNTERFEITING.....	284	366	327	333	251	2.1	2.7	2.4	2.5	1.9
RAPE.....	239	243	294	249	299	1.8	1.8	2.2	1.9	2.2
OTHER MAJOR OFFENSES.....	839	841	1,047	894	937	6.2	6.2	7.8	6.6	7.0

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937 AND 1938, APPROXIMATELY 99.0 PERCENT FOR 1939, AND 100 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

SYMBOL: 0.0 INDICATES "LESS THAN ONE-TENTH OF 1 PER 100,000 POPULATION."

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941.		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	7102	100.0	7834	100.0	7924	100.0	7803	100.0	7760	100.0
DEATH PENALTY.....	21	0.3	24	0.3	23	0.3	20	0.3	18	0.2
STATE PRISONS OR REFORMATORIES.....	2865	40.3	3203	40.9	3338	42.1	3400	43.6	3317	42.7
PROBATION OR SUSPENDED SENTENCE.....	2494	35.1	2845	36.3	2772	35.0	2833	36.2	2865	36.9
LOCAL JAILS, WORKHOUSES, ETC.....	1659	23.4	1719	21.9	1729	21.8	1699	21.8	1877	24.2
FINE OR COSTS ONLY.....	45	0.6	29	0.4	55	0.7	20	0.3	40	0.5
INSTITUTIONS FOR JUVENILES.....	...	...	...	...	...	...	...	...	...	...
OTHER SENTENCE.....	18	0.3	14	0.2	7	0.1	31	0.4	43	0.6

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1941

OFFENSE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL MAJOR OFFENSES.....	3432	100.0	10797	100.0	10153	100.0	10657	100.0	10316	100.0
ACQUITTED WITHOUT CONVICTION.....	1730	50.4	5413	50.2	5229	51.5	5884	55.2	5556	53.8
ACQUITTED BY COURT (JURY WAIVED).....	311	9.1	510	4.7	573	5.6	765	7.2	837	8.1
OTHER NO-PENALTY DISPOSITION.....	289	8.4	1040	9.6	824	8.1	133	1.2	...	...
CONVICTED.....	7102	20.6	7834	72.6	7924	78.0	7803	73.0	7760	75.2
PLEA OF GUILTY.....	...	...	...	...	...	...	...	...	...	...
COURT FINDS GUILTY (JURY WAIVED).....	...	...	...	...	...	...	...	...	...	...
JURY VERDICT GUILTY.....	...	...	...	...	...	...	...	...	...	...

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT							
	TOTAL DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	11,247	2,732	2,060	...	333	339	8,515	7,816	...	699	21	2,991	3,163	2,216	106	-	18	
MAJOR OFFENSES, TOTAL.....	9,432	2,330	1,730	...	311	289	7,102	...	...	...	21	2,865	2,494	1,659	45	-	18
MURDER.....	114	49	29	...	11	9	65	...	...	...	21	42	17	13	-	-	2
MANSLAUGHTER.....	229	66	36	...	21	9	163	...	...	...	-	130	63	14	3	-	2
ROBBERY.....	818	239	176	...	38	25	579	...	...	...	-	499	339	107	1	-	7
AGGRAVATED ASSAULT.....	737	211	132	...	63	16	526	...	...	...	-	588	516	836	7	-	2
BURGLARY.....	1,817	369	230	...	27	52	1,448	...	...	...	-	481	998	707	2	-	2
LARCENY, EXCEPT AUTO THEFT.....	2,485	295	205	...	31	59	2,190	...	...	...	-	190	312	154	1	-	2
AUTO THEFT.....	778	119	88	...	10	21	659	...	...	...	-	4	7	2	1	-	...
EMBEZZLEMENT AND FRAUD.....	20	6	6	...	-	14	...	...	...	...	-	27	53	12	4	-	...
STOLEN PROPERTY, RECEIVING, ETC.....	174	78	48	...	21	9	96	...	...	...	-	113	124	46	-	-	1
FORGERY AND COUNTERFEITING.....	357	73	50	...	18	5	284	...	...	...	-	98	94	46	-	-	1
RAPE.....	367	128	87	...	18	23	239	...	...	...	-	6	2	45	1	-	...
COMMERCIALIZED VICE.....	15	5	4	...	1	...	10	...	...	...	-	133	6	8	-	-	...
OTHER SEX OFFENSES.....	328	96	65	...	14	17	232	...	...	...	-	6	23	103	4	-	...
VIOLATING DRUG LAWS.....	38	1	1	...	-	...	37	...	...	...	-	107	83	41	20	-	...
CARRYING, ETC., WEAPONS.....	362	65	54	...	6	5	297	...	...	...	-	102	99	41	-	-	...
OTHER MAJOR OFFENSES.....	793	530	459	...	32	39	263	...	...	...	-	...	...	...	...	-	...
ABORTION.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
ARSON.....	94	29	24	...	2	3	65	...	...	...	-	38	16	11	-	-	...
BIGAMY.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
BLACKMAIL AND EXTORTION.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
ESCAPE AND JAIL BREAK.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
KIDNAPING.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
PERJURY.....	...	...	...	...	...	...	...	...	...	...	-	...	...	...	...	-	...
MINOR OFFENSES ¹	1,815	402	330	...	22	50	1,413	...	...	...	-	126	669	557	61	-	...

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN LOWER COURTS.

SYMBOLS: CLASS OR ITEM NOT APPLICABLE ... QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS

JUDICIAL CRIMINAL STATISTICS

NEW HAMPSHIRE, 1941

The Bureau of the Census received from the clerks of court in New Hampshire reports on 337 defendants charged with major offenses who were disposed of in the superior courts of the 10 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of 11 defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction. These cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 337 defendants charged with major offenses in 1941, 301, or about 9 out of every 10, were convicted and sentenced; of these, 130, or about 4 out of every 10, were placed on probation or had sentence suspended; and 83, or about 3 out of every 10, were sentenced to imprisonment in a State institution for adults. There were no convictions for murder, but there were 3 convictions for manslaughter. Of the 220 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 102, or about 18 out of every 20, were convicted. Of the 57 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 49, or about 17 out of every 20, were

convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed an increase from 88.5 in 1937 to 103.0 in 1938, but had decreased to 68.6 by 1941. The rate for defendants convicted of major offenses fluctuated from year to year, being highest at 80.6 in 1938 and lowest at 61.2 in 1941. More defendants were charged with and convicted of burglary than of any other offense in 1938, 1939, and 1941, but in 1937 and 1940, more were charged with and convicted of larceny. The rate for defendants convicted of burglary was 14.9 in 1941 as compared with 11.6 for larceny, whereas in 1937 the rate for larceny was 23.5 as compared with 16.1 for burglary. The rate for burglary reached the highest peak at 24.7 in 1938 and then steadily declined. In 1939 there were six defendants convicted of murder (a rate of 1.2 per 100,000 population) as compared with none in 1941 and one (a rate of 0.2) in 1940. (See table 1.)

During the past 5 years, 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 77.3 in 1939 to 88.2 in 1940 and to 89.3 in 1941, having decreased from 84.6 in 1937 to 79.2 in 1938. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 81.3 percent of all defendants pleaded guilty, whereas only 5.3 percent were found guilty by court and 2.7 percent by jury. (See table 2.)

Nearly one-half of all defendants convicted during the past 5 years were placed on probation or had sentence suspended. The proportion of these convicted defendants increased from 39.2 percent in 1937 to 53.0 percent in 1940, but declined to 43.9 percent in 1941. The proportion of defendants sentenced to imprisonment in a State institution for adults decreased from 31.7 in 1937 to 27.0 in 1939, but increased to 27.3 percent in 1940 and 27.6 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW HAMPSHIRE, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	337	432	436	496	422	68.6	87.9	89.3	103.0	88.5
MURDER.....	1	1	8	3	3	0.2	0.2	1.6	0.6	0.6
MANSLAUGHTER.....	3	2	4	4	9	0.6	0.4	0.8	0.8	1.9
ROBBERY.....	10	8	15	15	9	2.0	1.6	3.1	3.1	1.9
AGGRAVATED ASSAULT.....	19	13	18	15	6	3.9	2.6	3.7	3.1	1.3
BURGLARY.....	79	90	109	150	91	16.1	18.3	22.3	31.1	19.1
LARCENY, EXCEPT AUTO THEFT.....	59	98	78	105	126	12.0	19.9	16.0	21.8	26.4
AUTO THEFT.....	15	24	20	16	15	3.1	4.9	4.1	3.3	3.1
EMBEZZLEMENT AND FRAUD.....	32	54	74	75	38	6.5	11.0	15.1	15.6	8.0
STOLEN PROPERTY, RECEIVING, ETC.....	7	4	5	5	1	1.4	0.8	1.0	1.0	0.2
FORGERY AND COUNTERFEITING.....	18	20	10	10	18	3.7	4.1	2.0	2.1	3.8
RAPE.....	34	27	29	30	51	6.9	5.5	5.9	6.2	10.7
OTHER MAJOR OFFENSES.....	60	91	66	68	55	12.2	18.5	13.5	14.1	11.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	301	381	337	388	357	61.2	77.5	69.0	80.6	74.8
MURDER.....	-	1	6	1	2	0	0.2	1.2	0.2	0.4
MANSLAUGHTER.....	3	1	3	4	6	0.6	0.2	0.6	0.8	1.3
ROBBERY.....	9	8	13	11	8	1.8	1.6	2.7	2.3	1.7
AGGRAVATED ASSAULT.....	17	12	14	11	8	3.5	2.4	2.9	2.3	1.3
BURGLARY.....	73	86	95	119	77	14.9	17.5	19.4	24.7	16.1
LARCENY, EXCEPT AUTO THEFT.....	57	92	69	89	112	11.6	18.7	14.1	18.5	23.5
AUTO THEFT.....	13	21	17	14	11	2.6	4.3	3.5	2.9	2.3
EMBEZZLEMENT AND FRAUD.....	26	43	32	52	27	5.3	8.7	6.6	10.8	5.7
STOLEN PROPERTY, RECEIVING, ETC.....	7	3	4	4	1	1.4	0.6	0.8	0.8	0.2
FORGERY AND COUNTERFEITING.....	17	18	9	10	17	3.5	3.7	1.8	2.1	3.6
RAPE.....	29	20	20	24	41	5.9	4.1	4.1	5.0	8.6
OTHER MAJOR OFFENSES.....	50	76	55	49	49	10.2	15.5	11.3	10.2	10.3

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	301	100.0	381	100.0	337	100.0	388	100.0	357	100.0
DEATH PENALTY.....	-	0	-	0	-	0	-	0	1	0.3
STATE PRISONS OR REFORMATORIES.....	83	27.6	104	27.3	91	27.0	113	29.1	113	31.7
PROBATION OR SUSPENDED SENTENCE.....	130	43.9	202	53.0	176	52.2	195	50.3	140	39.2
LOCAL JAILS, WORKHOUSES, ETC.....	66	21.9	66	17.3	55	16.3	70	18.0	83	23.2
FINE OR COSTS ONLY.....	7	2.3	8	2.1	12	3.6	8	2.1	15	4.2
INSTITUTIONS FOR JUVENILES.....	3	1.0	1	0.3	3	0.9	1	0.3	4	1.1
OTHER SENTENCE.....	12	4.0	-	0	-	0	1	0.3	1	0.3

TABLE 2.—PROCEDURAL OUTCOMES FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	337	100.0	432	100.0	436	100.0	496	100.0	422	100.0
ELIMINATED WITHOUT CONVICTION.....	36	10.7	51	11.8	99	22.7	108	21.8	65	15.4
DISMISSED.....	31	9.2	38	8.8	86	19.7	80	16.1	49	11.6
ACQUITTED BY COURT (JURY WAIVED).....	-	0	0	0	-	0	2	0.4	-	0
ACQUITTED BY JURY.....	1	0.3	6	1.4	9	2.1	8	1.6	6	1.4
OTHER NO-PENALTY DISPOSITION.....	4	1.2	6	1.4	4	0.9	18	3.6	10	2.4
CONVICTED.....	301	89.3	381	88.2	337	77.3	388	78.2	357	84.6
PLEA OF GUILTY.....	274	81.3	368	85.2	334	76.6	353	71.2	331	78.4
COURT FINDS GUILTY (JURY WAIVED).....	18	5.3	1	0.2	-	0	3	0.6	3	0.7
JURY VERDICT GUILTY.....	9	2.7	12	2.8	3	0.7	32	6.5	23	5.5

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	426	66	58	-	2	6	360	326	22	12	-	85	153	76	24	4	18
MAJOR OFFENSES, TOTAL.....	337	36	31	-	1	4	301	274	18	9	-	83	130	66	7	3	12
MURDER.....	1	1	-	-	-	1	3	3	-	-	-	-	1	-	-	-	-
MANSLAUGHTER.....	3	1	1	-	-	-	9	8	-	1	-	2	1	1	-	1	1
ROBBERY.....	10	2	2	-	-	-	17	13	5	4	-	6	3	8	1	1	4
AGGRAVATED ASSAULT.....	79	6	5	-	-	1	73	68	1	-	-	23	28	14	3	1	1
BURGLARY.....	59	2	2	-	-	-	57	56	3	1	-	5	34	17	4	1	1
LARCENY, EXCEPT AUTO THEFT.....	15	2	2	-	-	-	13	10	1	-	-	1	13	4	2	-	-
AUTO THEFT.....	32	6	6	-	-	-	26	23	2	1	-	6	6	4	1	-	-
EMBEZZLEMENT AND FRAUD.....	7	-	-	-	-	-	7	7	4	-	-	-	13	1	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	18	1	1	-	-	-	17	13	1	-	-	19	3	5	-	-	-
FORGERY AND COUNTERFEITING.....	34	5	5	-	-	-	29	26	1	2	-	12	17	10	-	-	-
COMMERCIALIZED VICE.....	47	8	6	-	1	1	39	36	2	1	-	4	3	2	-	-	-
OTHER SEX OFFENSES.....	2	-	-	-	-	-	2	2	-	-	-	2	3	2	-	-	-
VIOLATING DRUG LAWS.....	11	2	1	-	-	1	9	9	-	-	-	4	2	1	-	-	-
CARRYING, ETC., WEAPONS.....	9	-	-	-	-	-	9	7	-	-	-	4	2	1	-	-	-
ABORTION.....	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
ARSON.....	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
BIGAMY.....	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	1	-	-	-	-	-	1	1	-	-	-	-	1	-	-	-	-
MINOR OFFENSES ¹	89	30	27	-	1	2	59	52	4	3	-	2	23	10	17	1	6

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN

JUDICIAL CRIMINAL STATISTICS.

KANSAS, 1941

June 11, 1942

The Bureau of the Census received from clerks of court in Kansas reports on 1,424 defendants charged with major offenses who were disposed of in the district courts of the 105 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 1,424 defendants charged with major offenses in 1941, 986, or about 7 out of every 10, were convicted and sentenced; of these, 691, or about 7 out of 10, were sentenced to imprisonment in a State institution for adults; and 185, or about 2 out of every 10, were placed on probation or given a suspended sentence. Of the 21 defendants charged with murder, 10 were convicted and imprisoned. Of the 1,149 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 850, or about 7 out of every 10, were convicted. Of the 201 persons charged with major crimes against the person (murder, manslaughter, ag-

gravated assault, and rape), 92, or about 5 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased, in general, from 96.6 in 1937 to 79.1 in 1941, with the exception of an increase to 99.0 in 1939. The rate for defendants convicted of major offenses followed the same trend, decreasing from 72.2 in 1937 to 54.7 in 1941, with the rise of 1939 reaching 76.8. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period; convictions for burglary ranked second in volume. Although the rate for defendants convicted of larceny was 25.8 in 1939, it had decreased to 15.8 by 1941. There were more convictions for murder in 1938 than in any other year—the rate for that year being 1.7 as compared with 0.6 for 1940 and 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has fluctuated from year to year, but the greatest change was a decrease from 79.0 percent in 1940 to 69.2 percent in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 60.7 percent of all defendants pleaded guilty, whereas only 6.7 percent were found guilty by jury and 1.8 percent by court. (See table 2.)

About seven-tenths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced has fluctuated from year to year, decreasing from 78.0 in 1938 to 65.1 in 1939 and from 71.2 in 1940 to 70.1 in 1941. The proportion placed on probation or given suspended sentence also fluctuated from year to year, decreasing from 15.1 in 1937 to 9.0 in 1938 and from 22.7 in 1939 to 18.7 in 1940, and registering a slight increase to 18.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN KANSAS, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,424	1,430	1,805	1,658	1,793	79.1	79.4	99.0	90.0	96.6
MURDER.....	21	16	29	40	34	1.2	0.9	1.6	2.2	1.8
MANSLAUGHTER.....	23	14	22	27	23	1.3	0.8	1.2	1.5	1.2
ROBBERY.....	72	54	71	78	98	4.0	3.0	3.9	4.2	5.3
AGGRAVATED ASSAULT.....	89	60	55	71	60	4.9	3.3	3.0	3.9	3.2
BURGLARY.....	267	290	301	270	286	14.8	16.1	16.5	14.7	15.4
LARCENY, EXCEPT AUTO THEFT.....	369	404	554	525	548	20.5	22.4	30.4	28.5	29.5
AUTO THEFT.....	95	72	76	95	93	5.3	4.0	4.2	5.2	5.0
EMBEZZLEMENT AND FRAUD.....	85	123	174	124	176	4.7	6.8	9.5	6.7	9.5
STOLEN PROPERTY, RECEIVING, ETC....	29	25	27	33	31	1.6	1.4	1.5	1.8	1.7
FORGERY AND COUNTERFEITING.....	232	205	258	199	236	12.9	11.4	14.1	10.8	12.7
RAPE.....	68	70	100	89	76	3.8	3.9	5.5	4.8	4.1
OTHER MAJOR OFFENSES.....	74	97	138	107	132	4.1	5.4	7.6	5.8	7.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	986	1,130	1,400	1,294	1,341	54.7	62.7	76.8	70.3	72.2
MURDER.....	10	10	22	31	18	0.6	0.6	1.2	1.7	1.0
MANSLAUGHTER.....	14	11	15	18	12	0.8	0.6	0.8	1.0	0.6
ROBBERY.....	56	43	51	53	71	3.1	2.4	2.8	2.9	3.8
AGGRAVATED ASSAULT.....	31	36	39	40	30	1.7	2.0	2.1	2.2	1.6
BURGLARY.....	206	244	255	225	229	11.4	13.5	14.0	12.2	12.3
LARCENY, EXCEPT AUTO THEFT.....	285	345	470	449	461	15.8	19.2	25.8	24.4	24.8
AUTO THEFT.....	80	68	67	78	77	4.4	3.8	3.7	4.2	4.1
EMBEZZLEMENT AND FRAUD.....	36	70	86	73	81	2.0	3.9	4.7	4.0	4.4
STOLEN PROPERTY, RECEIVING, ETC....	16	17	20	24	26	0.9	0.9	1.1	1.3	1.4
FORGERY AND COUNTERFEITING.....	171	182	213	160	191	9.5	10.1	11.7	8.7	10.3
RAPE.....	37	38	64	57	52	2.1	2.1	3.5	3.1	2.8
OTHER MAJOR OFFENSES.....	44	66	98	86	93	2.4	3.7	5.4	4.7	5.0

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,424	100.0	1,430	100.0	1,805	100.0	1,658	100.0	1,793	100.0
ELIMINATED WITHOUT CONVICTION.....	438	30.8	300	21.0	405	22.4	364	22.0	452	25.2
DISMISSED.....	374	26.3	244	17.1	335	18.6	265	16.0	380	21.2
ACQUITTED BY COURT (JURY WAIVED).....	3	0.2	6	0.4	7	0.4	20	1.2	3	0.2
ACQUITTED BY JURY.....	58	4.1	49	3.4	61	3.4	61	3.7	54	3.0
OTHER NO-PENALTY DISPOSITION.....	3	0.2	1	0.1	2	0.1	18	1.1	15	0.8
CONVICTED.....	986	69.2	1,130	79.0	1,400	77.6	1,294	78.0	1,341	74.8
PLEA OF GUILTY.....	864	60.7	1,007	70.4	1,263	70.0	1,093	65.9	1,164	64.9
COURT FINDS GUILTY (JURY WAIVED).....	26	1.8	19	1.3	16	0.9	37	2.2	20	1.1
JURY VERDICT GUILTY.....	96	6.7	104	7.3	121	6.7	164	9.9	157	8.8

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	986	100.0	1,130	100.0	1,400	100.0	1,294	100.0	1,341	100.0
DEATH PENALTY.....	-	0	-	0	-	0	-	0	1	0.1
STATE PRISONS OR REFORMATORIES.....	691	70.1	805	71.2	911	65.1	1,009	78.0	961	71.7
PROBATION OR SUSPENDED SENTENCE.....	185	18.8	211	18.7	318	22.7	117	9.0	203	15.1
LOCAL JAILS, WORKHOUSES, ETC.....	91	9.2	105	9.3	151	10.8	110	8.5	158	11.8
FINE OR COSTS ONLY.....	18	1.8	9	0.8	20	1.4	53	4.1	16	1.2
INSTITUTIONS FOR JUVENILES.....	...	...	...	...	...	...	44	0.3	...	...
OTHER SENTENCE.....	1	0.1	-	-	-	-	1	0.1	-	-

¹FIGURES RELEASED AS REPORTED TO U.S. SUBSEQUENT INFORMATION INDICATES THAT THE REPORT WAS INCORRECT AND THAT KANSAS CRIMINAL COURTS COMMIT NO INDIVIDUALS TO JUVENILE INSTITUTIONS.

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION				CONVICTED AND SENTENCED				DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE	
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)								JURY VERDICT GUILTY
ALL OFFENSES.....	2,284	892	793	5	86	8	1,392	1,217	36	139	-	727	323	271	70	...	1
MAJOR OFFENSES, TOTAL.....	1,424	438	374	3	58	3	986	864	26	96	-	691	185	91	18	...	1
MURDER.....	21	11	4	-	7	-	10	3	-	7	-	10	-	-	-	...	-
MANSLAUGHTER.....	23	9	6	-	3	-	14	8	-	6	-	8	6	5	1	...	-
ROBBERY.....	72	16	14	-	2	-	56	44	2	10	-	48	20	2	-	...	-
AGGRAVATED ASSAULT.....	89	58	50	1	7	-	31	21	2	8	-	20	28	4	-	...	-
BURGLARY.....	267	61	52	-	9	-	206	187	5	14	-	166	71	12	-	...	-
LARCENY, EXCEPT AUTO THEFT.....	369	84	72	-	12	-	285	253	9	23	-	169	34	10	-	...	1
AUTO THEFT.....	95	15	15	-	-	-	80	72	4	4	-	68	13	6	-	...	-
EMBEZZLEMENT AND FRAUD.....	85	49	42	2	3	2	36	32	2	2	-	15	6	2	-	...	-
STOLEN PROPERTY, RECEIVING, ETC.....	29	13	12	-	1	-	16	14	-	2	-	8	35	12	4	...	-
FORGERY AND COUNTERFEITING.....	232	61	56	-	5	-	171	165	1	5	-	120	3	-	-	...	-
RAPE.....	68	31	27	-	4	-	37	27	1	9	-	34	3	-	-	...	-
COMMERCIALIZED VICE.....	1	1	1	-	-	-	-	-	-	-	-	-	1	-	-	...	-
OTHER SEX OFFENSES.....	18	10	9	-	1	1	8	7	-	1	-	9	1	1	-	...	-
VIOLATING DRUG LAWS.....	11	1	-	-	-	-	10	8	-	2	-	1	1	3	-	...	-
CARRYING, ETC., WEAPONS.....	4	-	-	-	-	-	4	4	-	3	-	10	5	7	-	...	-
OTHER MAJOR OFFENSES.....	40	18	14	-	4	-	22	19	-	-	-	-	-	-	-	...	-
ABORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	...	-
ARSON.....	14	5	3	-	2	-	9	7	-	2	-	5	3	1	-	...	-
BIGAMY.....	10	3	2	-	1	-	7	7	-	-	-	2	1	4	-	...	-
BLACKMAIL AND EXTORTION.....	2	2	2	-	-	-	-	-	-	-	-	-	1	2	-	...	-
ESCAPE AND JAIL BREAK.....	7	2	2	-	-	-	5	5	-	-	-	-	1	-	-	...	-
KIDNAPING.....	3	2	1	-	1	-	1	-	-	1	-	1	-	-	-	...	-
PERJURY.....	4	4	4	-	-	-	-	-	-	-	-	-	-	-	-	...	-
MINOR OFFENSES.....	860	454	419	2	28	5	406	353	10	43	-	36	138	180	52	...	-

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

JUDICIAL CRIMINAL STATISTICS

WYOMING, 1941

June 11, 1942

The Bureau of the Census received from the clerks of court in Wyoming reports on 292 defendants charged with major offenses who were disposed of in the district courts of the 23 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense, and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 292 defendants charged with major offenses in 1941, 244, or about 8 out of every 10, were convicted and sentenced; of these, 135, or about 11 out of every 20 were sentenced to imprisonment in a State institution for adults; and 85, or about 7 out of every 20, were placed on probation or given a suspended sentence. Of the 5 defendants charged with murder, 4 were convicted and imprisoned. Of the 260 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 223, or about 9 out of every 10, were convicted. Of the 26 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and

rape), 16, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a general decrease from 142.0 in 1937 to 116.5 in 1941, although a momentary rise was registered in 1939 when the rate jumped to 155.5. The rate for defendants convicted of major offenses followed the same trend, decreasing from 115.2 in 1937 to 97.3 in 1941, with a momentary peak of 129.7 in 1939. In 1941, 1938, and 1937, more defendants were charged with and convicted of larceny than of any other offense; in 1940 the convictions were the same for larceny as for burglary, while in 1939 they were higher for burglary. Convictions for forgery and counterfeiting ranked second in volume in 1941 for the first time. During the 5 years, the rate for larceny decreased, in general, from 42.9 in 1937 to 29.9 in 1941. Forgery and counterfeiting increased from 18.2 in 1937 to 23.5 in 1941, and burglary increased from 23.8 in 1937 to 36.8 in 1939 and then declined to 19.9 in 1941. (See table 1.)

During the past 5 years about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted fluctuated from year to year, being 83.6 in 1941 as compared with 77.6 in 1940 and 83.4 in 1939. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 81.5 percent of all defendants pleaded guilty, whereas only 1.7 percent were found guilty by jury and 0.3 percent by court. (See table 2.)

Nearly three-fifths of all defendants convicted during the past 5 years have been sentenced to imprisonment in a State institution for adults. The proportion so sentenced each year has shown a definite decrease, from 68.0 percent in 1937 to 55.3 percent in 1941. In contrast, however, the proportion placed on probation or given a suspended sentence increased from 16.6 in 1938 to 34.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN WYOMING, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

DEFENDANTS CHARGED

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	292	322	385	317	328	116.5	128.4	155.5	138.0	142.0
MURDER.....	5	4	4	6	7	2.0	1.6	1.6	2.6	3.0
MANSLAUGHTER.....	2	5	7	1	4	0.8	2.0	2.8	0.4	1.7
ROBBERY.....	15	15	17	6	13	6.0	6.0	6.9	2.6	5.6
AGGRAVATED ASSAULT.....	10	10	17	15	10	4.0	4.0	6.9	6.5	4.3
BURGLARY.....	57	72	98	64	70	22.7	28.7	39.6	27.9	30.3
LARCENY, EXCEPT AUTO THEFT.....	85	82	92	82	114	33.9	32.7	37.2	35.7	49.4
AUTO THEFT.....	22	20	29	19	20	8.8	8.0	11.7	8.3	8.7
EMBEZZLEMENT AND FRAUD.....	10	28	22	30	11	4.0	11.2	8.9	13.1	4.8
STOLEN PROPERTY, RECEIVING, ETC....	7	6	9	8	7	2.8	2.4	3.6	3.5	3.0
FORGERY AND COUNTERFEITING.....	64	60	70	50	45	25.5	23.9	28.3	21.8	19.5
RAPE.....	9	8	17	14	11	3.6	3.2	6.9	6.1	4.8
OTHER MAJOR OFFENSES.....	6	12	3	22	16	2.4	4.8	1.2	9.6	6.9

DEFENDANTS CONVICTED

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	244	250	321	247	266	97.3	99.7	129.7	107.5	115.2
MURDER.....	4	2	1	6	6	1.6	0.8	0.4	2.6	2.6
MANSLAUGHTER.....	2	3	4	1	1	0.8	1.2	1.6	0.4	0.4
ROBBERY.....	13	13	16	4	11	5.2	5.2	6.5	1.7	4.8
AGGRAVATED ASSAULT.....	7	7	13	10	6	2.8	2.8	5.3	4.4	2.6
BURGLARY.....	50	65	91	60	55	19.9	25.9	36.8	26.1	23.8
LARCENY, EXCEPT AUTO THEFT.....	75	65	77	62	99	29.9	25.9	31.1	27.0	42.9
AUTO THEFT.....	13	13	26	19	17	5.2	5.2	10.5	8.3	7.4
EMBEZZLEMENT AND FRAUD.....	6	13	16	21	7	2.4	5.2	6.5	9.1	3.0
STOLEN PROPERTY, RECEIVING, ETC....	7	5	5	6	3	2.8	2.0	2.0	2.6	1.3
FORGERY AND COUNTERFEITING.....	59	50	61	43	42	23.5	19.9	24.6	18.7	18.2
RAPE.....	3	4	9	4	5	1.2	1.6	3.6	1.7	2.2
OTHER MAJOR OFFENSES.....	5	10	2	11	14	2.0	4.0	0.8	4.8	6.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 95.6 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 93.8 PERCENT FOR 1938, AND 100.0 PERCENT FOR 1939-41. RATES ARE BASED ON 1940 CENSUS FIGURES AND LATEST POPULATION ESTIMATES FOR 1937-1939. THE RATES FOR 1937 AND 1938 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	244	100.0	250	100.0	321	100.0	247	100.0	266	100.0
DEATH PENALTY.....	-	0	-	0	-	0	-	0	-	0
STATE PRISONS OR REFORMATORIES.....	135	55.3	147	58.8	196	61.1	155	62.8	181	68.0
PROBATION OR SUSPENDED SENTENCE.....	85	34.8	78	31.2	89	27.7	41	16.6	46	17.3
LOCAL JAILS, WORKHOUSES, ETC.....	13	5.3	8	3.2	10	3.1	13	5.3	25	9.4
FINE OR COSTS ONLY.....	1	0.4	4	1.6	6	1.9	6	2.4	14	5.3
INSTITUTIONS FOR JUVENILES.....	10	4.1	13	5.2	20	6.2	31	12.6	-	0
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	292	100.0	322	100.0	385	100.0	317	100.0	328	100.0
ELIMINATED WITHOUT CONVICTION.....	48	16.4	72	22.4	64	16.6	70	22.1	62	18.9
DISMISSED.....	36	12.3	63	19.6	54	14.0	53	16.7	51	15.5
ACQUITTED BY COURT (JURY WAIVED).....	9	3.1	7	2.2	9	2.3	11	3.5	10	3.0
OTHER NO-PENALTY DISPOSITION.....	3	1.0	2	0.6	1	0.3	1	0.3	1	0.3
CONVICTED.....	244	83.6	250	77.6	321	83.4	247	77.9	266	81.1
PLEA OF GUILTY.....	238	81.5	237	73.6	311	80.8	233	73.5	241	73.5
COURT FINDS GUILTY (JURY WAIVED).....	1	0.3	6	1.9	-	0	8	2.5	11	3.4
JURY VERDICT GUILTY.....	5	1.7	7	2.2	10	2.6	6	1.9	14	4.3

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT						
		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED								PLEA OF GUILTY	COURT FINDS OF GUILTY (JURY WAIVED)	JURY REPORTS GUILTY
ALL OFFENSES.....	393	66	52	-	10	4	327	-	136	127	22	19	22	1
MAJOR OFFENSES, TOTAL.....	292	48	36	-	9	3	244	-	135	85	13	1	10	-
MURDER.....	5	1	-	-	1	-	4	-	4	-	-	-	-	-
MANSLAUGHTER.....	2	2	2	-	-	-	2	-	2	2	-	-	-	-
ROBBERY.....	15	3	2	-	-	-	13	-	12	6	-	-	3	-
AGGRAVATED ASSAULT.....	10	3	7	-	-	1	7	-	6	2	2	-	-	-
BURGLARY.....	57	7	6	-	1	-	50	-	48	26	-	-	2	-
LARCENY, EXCEPT AUTO THEFT.....	85	10	6	-	3	1	75	-	74	39	7	1	1	-
AUTO THEFT.....	22	9	5	-	3	1	13	-	13	8	5	-	-	-
EMBEZZLEMENT AND FRAUD.....	10	4	3	-	1	-	6	-	6	3	3	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	7	-	-	-	-	-	7	-	7	6	1	-	4	-
FORGERY AND COUNTERFEITING.....	64	5	5	-	-	-	59	-	59	40	1	-	-	-
RAPE.....	9	6	6	-	-	-	3	-	2	2	-	-	-	-
COMMERCIALIZED VICE.....	-	-	-	-	-	-	3	-	3	2	1	-	-	-
OTHER SEX OFFENSES.....	3	-	-	-	-	-	1	-	1	-	-	-	-	-
VIOLATING DRUG LAWS.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	2	-	1	-	-	-	1	-	1	-	-	-	-	-
OTHER MAJOR OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ARSON.....	1	-	-	-	-	-	1	-	1	1	-	-	-	-
BIGAMY.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	101	18	16	-	1	1	83	-	65	16	2	18	12	1

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN DISTRICT COURTS.

JUDICIAL CRIMINAL STATISTICS

IDAHO, 1941

The Bureau of the Census received from clerks of court in Idaho reports on 428 defendants charged with major offenses who were disposed of in the district courts of the 44 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in the case of conviction, by the most serious offense of which convicted.

Of the 428 persons charged with major offenses in 1941, 339, or about 8 out of every 10, were convicted and sentenced; of these, 179, or about 5 out of 10, were sentenced to a State prison or reformatory; and 81, or 2 out of 10, were placed on probation or given a suspended sentence. Six defendants were convicted of murder and imprisoned in a State institution. Of the 352 persons charged with major crimes against property in 1941 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 284, or about 8 out of every 10, were convicted. Of the 48 persons charged with major crimes against the person (murder, man-

slaughter, aggravated assault, and rape), 32, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 87.3 in 1937 to 115.1 in 1939, and then decreased to 81.5 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 76.2 in 1937 to 98.8 in 1939, and then decreasing to 64.6 in 1941. More defendants were convicted of burglary than of any other offense in 1939-1941 while in 1937 and 1938 more were convicted of forgery and counterfeiting. The rate for defendants convicted of burglary increased from 18.4 in 1937 to 30.4 in 1939, but decreased to 18.1 in 1941, and the rate for forgery and counterfeiting increased from 20.0 in 1937 to 26.7 in 1939, then decreased to 17.0 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses were convicted. Aside from a slight increase in 1939, the rate of conviction decreased from 87.3 in 1937 to 79.2 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.2 percent of all defendants pleaded guilty, whereas only 9.3 percent were found guilty by jury verdict and 0.7 percent by court. (See table 2.)

Annually during the past 5 years slightly more than half of all convicted defendants have been sentenced to imprisonment in a State institution. The proportion so sentenced was 52.3 percent in 1937, 57.3 percent in 1939, 51.8 in 1940, and increased slightly to 52.8 in 1941. The percent of convicted defendants placed on probation or given a suspended sentence increased from 22.2 in 1938 to 27.9 in 1940, but decreased to 23.9 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN IDAHO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER									
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	428	576	594	510	432	81.5	109.7	115.1	101.3	87.3
MURDER.....	6	9	11	10	3	1.1	1.7	2.1	2.0	0.6
MANSLAUGHTER.....	12	15	14	10	16	2.3	2.9	2.7	2.0	3.2
ROBBERY.....	17	32	17	23	19	3.2	6.1	3.3	4.6	3.8
AGGRAVATED ASSAULT.....	14	26	22	21	6	2.7	5.0	4.3	4.2	1.2
BURGLARY.....	113	155	171	133	96	21.5	29.5	33.1	26.4	19.4
LARCENY, EXCEPT AUTO THEFT.....	61	83	110	71	103	11.6	15.8	21.3	14.1	20.8
AUTO THEFT.....	25	9	5	18	6	4.8	1.7	1.0	3.6	1.2
EMBEZZLEMENT AND FRAUD.....	19	21	15	33	19	3.6	4.0	2.9	6.6	3.8
STOLEN PROPERTY, RECEIVING, ETC....	9	9	16	13	14	1.7	1.7	3.1	2.6	2.8
FORGERY AND COUNTERFEITING.....	108	154	152	131	108	20.6	29.3	29.5	26.0	21.8
RAPE.....	16	33	23	17	14	3.0	6.3	4.5	3.4	2.8
OTHER MAJOR OFFENSES.....	28	30	38	30	28	5.3	5.7	7.4	6.0	5.7
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	339	473	510	424	377	64.6	90.1	98.8	84.2	76.2
MURDER.....	6	8	7	5	1	1.1	1.5	1.4	1.0	0.2
MANSLAUGHTER.....	8	8	11	6	12	1.5	1.5	2.1	1.2	2.4
ROBBERY.....	15	30	14	18	13	2.9	5.7	2.7	3.6	2.6
AGGRAVATED ASSAULT.....	9	18	17	18	4	1.7	3.4	3.3	3.6	0.8
BURGLARY.....	95	134	157	118	91	18.1	25.5	30.4	23.4	18.4
LARCENY, EXCEPT AUTO THEFT.....	49	73	97	58	93	9.3	13.9	18.8	11.5	18.8
AUTO THEFT.....	17	7	4	18	3	3.2	1.3	0.8	3.6	0.6
EMBEZZLEMENT AND FRAUD.....	12	13	11	18	13	2.3	2.5	2.1	3.6	2.6
STOLEN PROPERTY, RECEIVING, ETC....	7	8	9	11	12	1.3	1.5	1.7	2.2	2.4
FORGERY AND COUNTERFEITING.....	89	130	138	122	99	17.0	24.8	26.7	24.2	20.0
RAPE.....	9	24	16	11	12	1.7	4.6	3.1	2.2	2.4
OTHER MAJOR OFFENSES.....	23	20	29	21	24	4.4	3.8	5.6	4.2	1.9

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	339	100.0	473	100.0	510	100.0	424	100.0	377	100.0
DEATH PENALTY.....	-	0	1	0.2	-	0	-	0	1	0.3
STATE PRISONS OR REFORMATORIES.....	179	52.8	245	51.8	292	57.3	241	56.8	197	52.3
PROBATION OR SUSPENDED SENTENCE.....	81	23.9	132	27.9	139	27.3	94	22.2	90	23.9
LOCAL JAILS, WORKHOUSES, ETC.....	67	19.8	83	17.5	76	14.9	78	18.4	81	21.5
FINE OR COSTS ONLY.....	3	0.9	1	0.2	1	0.2	2	0.5	2	0.5
INSTITUTIONS FOR JUVENILES.....	8	2.4	11	2.3	2	0.4	9	2.1	6	1.6
OTHER SENTENCE.....	1	0.3	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	428	100.0	576	100.0	594	100.0	510	100.0	432	100.0
ELIMINATED WITHOUT CONVICTION.....	89	20.8	103	17.9	84	14.1	86	16.9	55	12.7
DISMISSED.....	72	16.8	83	14.4	61	10.3	65	12.7	36	8.3
ACQUITTED BY COURT (JURY WAIVED).....	-	0	-	0	-	0	6	1.2	1	0.2
ACQUITTED BY JURY.....	8	1.9	16	2.8	16	2.7	13	2.5	15	3.5
OTHER NON-PENALTY DISPOSITION.....	9	2.1	4	0.7	7	1.2	2	0.4	3	0.7
CONVICTED.....	339	79.2	473	82.1	510	85.9	424	83.1	377	87.3
PLEA OF GUILTY.....	296	69.2	413	71.7	475	80.0	373	73.1	320	74.1
COURT FINDS GUILTY (JURY WAIVED).....	3	0.7	16	2.8	5	0.8	18	3.5	11	2.5
JURY VERDICT GUILTY.....	40	9.3	44	7.6	30	5.1	33	6.5	46	10.6

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME							SENTENCE OR TREATMENT								
		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED				DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS OR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE		
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY								COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY
ALL OFFENSES.....	506	123	99	-	9	15	383	334	7	42	-	188	96	75	12	8	4
MAJOR OFFENSES, TOTAL.....	428	89	72	-	8	9	339	296	3	40	-	179	81	67	3	8	1
MURDER.....	6	-	-	-	-	-	6	5	-	1	-	6	-	-	-	-	-
MANSLAUGHTER.....	12	4	2	-	2	-	8	2	2	4	-	4	4	-	-	-	-
ROBBERY.....	17	2	2	-	-	-	15	15	-	-	-	10	3	1	-	1	-
AGGRAVATED ASSAULT.....	14	5	5	-	-	-	9	6	-	3	-	4	2	2	1	-	-
BURGLARY.....	113	18	13	-	-	5	95	83	-	12	-	54	26	15	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	61	12	10	-	-	2	49	43	-	6	-	21	11	17	-	-	-
AUTO THEFT.....	25	8	5	-	-	-	17	17	-	-	-	7	3	2	-	5	-
EMBEZZLEMENT AND FRAUD.....	19	7	2	-	2	-	12	11	-	1	-	5	2	5	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	9	2	2	-	-	-	7	6	-	-	-	2	-	4	1	-	-
FORGERY AND COUNTERFEITING.....	108	19	15	-	2	2	89	86	-	3	-	46	26	15	-	2	-
RAPE.....	16	7	5	-	2	-	9	6	-	3	-	4	3	1	-	-	1
COMMERCIALIZED VICE.....	3	1	1	-	-	-	2	2	-	2	-	2	-	2	1	-	-
OTHER SEX OFFENSES.....	11	1	1	-	-	-	10	8	-	1	-	7	-	-	-	-	-
VIOLATING DRUG LAWS.....	1	1	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	1	-	-	-	-	-	1	1	-	-	-	1	-	-	-	-	-
OTHER MAJOR OFFENSES.....	12	2	2	-	-	-	10	7	-	3	-	6	1	3	-	-	-
ABORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ARSON.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BIGAMY.....	2	-	-	-	-	-	2	1	-	1	-	-	1	1	-	-	-
BLACKMAIL AND EXTORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	9	1	1	-	-	-	8	6	-	2	-	6	-	2	-	-	-
KIDNAPING.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES ¹	78	34	27	-	1	6	44	38	4	2	-	9	15	8	9	-	3

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATIONS OF LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS - QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

IOWA, 1941

The Bureau of the Census received from clerks of court in Iowa reports on 1,890 defendants charged with major offenses who were disposed of in the district courts of the 99 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar years. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in the case of conviction, by the most serious offense of which convicted.

Of the 1,890 persons charged with major offenses in 1941, 1,469, or about 8 out of every 10, were convicted and sentenced; of these, 612, or about 4 out of 10, were sentenced to a State institution; 499, or about 3 out of 10, were sentenced to a local institution; and 266, or about 2 out of 10, were placed on probation or given a suspended sentence. Of the 9 defendants charged with murder, 16 were convicted and sentenced to imprisonment in a State penal institution. Of the 1,458 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 1,170, or about 8 out of every 10, were convicted. Of the 158 persons charged with major crimes against the person (murder,

manslaughter, aggravated assault, and rape), 108, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses generally decreased, from 95.0 in 1937 to 74.5 in 1941, with the exception of a slight rise in 1939. The rate for defendants convicted of major offenses was 74.0 in 1937 as compared with 57.9 in 1941. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period. Convictions for forgery and counterfeiting ranked second in order of frequency. The rate for larceny decreased from 25.0 in 1937 to 19.1 in 1941, whereas the rate for forgery and counterfeiting increased from 8.5 in 1937 to 9.6 in 1940, decreasing to 9.1 in 1941. Convictions for murder showed no definite trend but were highest at 0.9 in 1937. (See table 1.)

During the past 5 years, about 15 out of every 20 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 79.8 in 1938 to 77.2 in 1939, but increased to 77.7 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 74.0 percent of all defendants pleaded guilty, whereas only 2.5 percent were found guilty by jury verdict and 1.2 percent by court. (See table 2.)

About two-fifths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 43.0 percent in 1937 to 44.1 percent in 1938, but has fluctuated around 41 percent since 1939. The proportion placed on probation or given a suspended sentence increased from 15.3 in 1937 to 20.0 in 1939, but declined to 18.1 percent in 1941. Approximately one-third of all convicted defendants were sentenced to imprisonment in a local institution during the last 5 years. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN IOWA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,890	2,195	1,875	1,641	1,572	74.5	86.5	94.5	85.0	95.0
MURDER.....	19	17	15	20	24	0.7	0.7	0.7	1.0	1.5
MANSLAUGHTER.....	22	20	20	18	15	0.9	0.9	1.0	0.9	0.9
ROBBERY.....	66	67	63	53	37	2.6	2.6	3.1	2.8	2.2
AGGRAVATED ASSAULT.....	81	69	85	71	70	3.2	2.7	4.2	3.7	4.2
BURGLARY.....	229	300	254	203	233	9.0	11.6	12.5	10.6	14.1
LARCENY, EXCEPT AUTO THEFT.....	567	588	482	492	479	22.3	23.2	23.9	25.7	29.0
AUTO THEFT.....	119	161	142	107	97	4.7	6.3	7.0	5.6	5.9
EMBEZZLEMENT AND FRAUD.....	164	233	232	146	125	6.5	9.2	11.4	7.6	7.6
STOLEN PROPERTY, RECEIVING, ETC....	24	33	22	45	26	0.9	1.3	1.1	2.3	1.6
FORGERY AND COUNTERFEITING.....	289	311	240	221	192	11.4	12.3	11.8	11.5	11.6
RAPE.....	36	48	53	38	41	1.4	1.9	2.6	1.9	2.5
OTHER MAJOR OFFENSES.....	274	348	267	229	233	10.8	13.7	12.2	11.9	14.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,469	1,697	1,448	1,309	1,224	57.9	66.9	71.4	68.3	74.0
MURDER.....	16	13	10	13	15	0.6	0.5	0.5	0.7	0.9
MANSLAUGHTER.....	15	10	13	12	4	0.6	0.4	0.6	0.6	0.2
ROBBERY.....	52	51	39	45	26	2.0	2.0	1.9	2.3	1.6
AGGRAVATED ASSAULT.....	56	52	60	43	56	2.2	2.0	3.0	2.2	3.4
BURGLARY.....	183	232	224	165	196	7.2	9.1	11.1	8.6	11.8
LARCENY, EXCEPT AUTO THEFT.....	484	513	417	427	414	19.1	20.2	20.6	22.3	25.0
AUTO THEFT.....	98	126	124	93	84	3.9	5.0	6.1	4.9	5.1
EMBEZZLEMENT AND FRAUD.....	104	145	124	85	80	4.1	5.7	6.1	4.4	4.8
STOLEN PROPERTY, RECEIVING, ETC....	19	25	16	40	24	0.7	1.0	0.8	2.1	1.5
FORGERY AND COUNTERFEITING.....	230	244	193	180	140	9.1	9.6	9.5	9.4	8.5
RAPE.....	21	34	36	22	23	0.8	1.3	1.8	1.1	1.4
OTHER MAJOR OFFENSES.....	191	252	192	184	162	7.5	9.9	9.5	9.6	9.8

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 66.6 PERCENT OF THE POPULATION OF THE STATE IN 1937; 77.2 PERCENT IN 1938; 80.6 PERCENT IN 1939; AND 100 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1469	100.0	1697	100.0	1448	100.0	1309	100.0	1224	100.0
DEATH PENALTY.....	—	0	1	0.1	—	0	1	0.1	1	0.1
STATE PRISONS OR REFORMATORIES.....	612	41.7	697	41.1	599	41.4	577	44.1	526	43.0
PROBATION OR SUSPENDED SENTENCE.....	266	18.1	303	17.9	290	20.0	206	15.7	187	15.3
LOCAL JAILS, WORKHOUSES, ETC.....	499	34.0	585	34.5	470	32.5	441	33.7	455	37.2
FINE OR COSTS ONLY.....	68	4.6	91	5.4	73	5.0	61	4.7	44	3.6
INSTITUTIONS FOR JUVENILES.....	20	1.4	20	1.2	16	1.1	23	1.8	11	0.9
OTHER SENTENCE.....	4	0.3	—	0	—	0	—	0	—	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1890	100.0	2195	100.0	1875	100.0	1641	100.0	1572	100.0
ELIMINATED WITHOUT CONVICTION.....	421	22.3	498	22.7	427	22.8	332	20.2	348	22.1
DISMISSED.....	359	19.0	439	20.0	359	19.1	289	17.5	308	19.6
ACQUITTED BY COURT (JURY WAIVED).....	3	0.2	3	0.1	14	0.7	10	0.6	2	0.1
ACQUITTED BY JURY.....	45	2.4	46	2.1	41	2.2	32	2.0	30	1.9
OTHER NO-PENALTY DISPOSITION.....	14	0.7	10	0.5	13	0.7	1	0.1	8	0.5
OTHER NO-PENALTY DISPOSITION.....	1469	77.7	1697	77.3	1448	77.2	1309	79.8	1224	77.9
PLEA OF GUILTY.....	1399	74.0	1627	74.1	1373	73.2	1225	74.6	1146	72.9
COURT FINDS GUILTY.....	22	1.2	19	0.9	20	1.1	31	1.9	26	1.7
JURY VERDICT GUILTY.....	48	2.5	51	2.3	55	2.9	53	3.2	52	3.3

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IOWA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	4,630	1,027	742	24	86	175	3,603	3,447	61	95	-	678	481	1,197	1,201	31	15
MAJOR OFFENSES, TOTAL.....	1,890	421	359	3	45	14	1,469	1,399	22	48	-	612	266	499	68	20	4
MURDER.....	19	3	-	-	3	-	16	13	-	3	-	16	-	-	-	-	-
MANSLAUGHTER.....	22	7	5	-	2	-	15	11	-	4	-	11	2	6	1	-	-
ROBBERY.....	66	14	13	-	1	-	52	49	-	3	-	41	5	1	-	-	-
AGGRAVATED ASSAULT.....	81	25	23	-	2	-	56	51	1	4	-	24	10	15	7	-	-
BURGLARY.....	229	46	45	-	1	-	183	177	2	4	-	90	36	48	4	4	-
LARCENY, EXCEPT AUTO THEFT.....	567	83	70	1	8	4	484	466	10	8	-	129	103	230	14	7	1
AUTO THEFT.....	119	21	18	-	3	-	98	94	3	1	-	49	6	33	5	5	-
EMBEZZLEMENT AND FRAUD.....	164	60	50	1	6	3	104	101	1	2	-	34	27	34	5	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	24	5	5	-	-	-	19	16	2	1	-	6	5	7	1	-	-
FORGERY AND COUNTERFEITING.....	289	59	48	-	6	5	230	225	3	2	-	97	42	79	11	1	3
RAPE.....	36	15	12	-	3	-	21	20	3	1	-	16	2	-	-	-	-
COMMERCIALIZED VICE.....	8	3	3	-	-	-	5	5	-	1	-	1	14	27	2	-	2
OTHER SEX OFFENSES.....	128	47	39	-	7	1	81	76	-	5	-	36	2	2	6	-	-
VIOLATING DRUG LAWS.....	13	2	2	-	-	-	11	11	-	-	-	1	2	9	9	-	-
CARRYING, ETC., WEAPONS.....	33	8	7	-	1	-	25	23	-	2	-	4	3	9	2	-	-
OTHER MAJOR OFFENSES.....	92	23	19	1	2	1	69	61	-	8	-	53	8	6	2	-	-
ABORTION.....	3	1	1	-	-	-	2	2	-	3	-	4	1	-	1	-	-
ARSON.....	12	2	2	-	-	-	10	7	-	-	-	8	2	-	-	-	-
BIGAMY.....	9	2	2	-	-	-	7	7	-	-	-	4	3	-	-	-	-
BLACKMAIL AND EXTORTION.....	8	3	2	-	-	-	5	5	-	-	-	1	1	2	1	-	-
ESCAPE AND JAIL BREAK.....	43	4	3	-	-	-	39	37	-	2	-	37	1	2	-	-	-
KIDNAPING.....	5	4	4	-	-	-	1	1	-	-	-	-	-	1	-	-	-
PERJURY.....	12	7	5	-	2	-	5	2	-	3	-	3	1	1	-	-	-
MINOR OFFENSES.....	2,740	606	383	21	41	161	2,134	2,048	39	47	-	66	215	698	1,133	11	11

* THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

JUDICIAL CRIMINAL STATISTICS

NORTH DAKOTA, 1941

The Bureau of the Census received from clerks of court in North Dakota reports on 413 defendants charged with major offenses who were disposed of in the district courts of 51 of the 53 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 of this report.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 413 persons charged with major offenses in 1941, 351, or about 17 out of every 20, were convicted and sentenced; of these, 183, or about 5 out of 10, were sentenced to a State institution; 76, or about 2 out of 10, were sentenced to a local institution; and 59, or less than 2 out of 10, were placed on probation or given a suspended sentence. Of the 4 defendants charged with murder, 3 were convicted and sentenced to imprisonment in a State penal institution. Of the 306 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 260, or about 8 out of every 10,

were convicted. Of the 50 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 43, or about 9 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 84.5 in 1937 to 92.6 in 1939, but decreased to 66.1 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 67.3 in 1937 to 80.1 in 1939 and then decreasing to 56.2 in 1941. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period. Convictions for burglary ranked second in order of frequency. The rate for larceny decreased from 26.8 in 1939 to 17.4 in 1941. The rate for burglary increased from 7.9 in 1937 to 15.6 in 1940, but decreased to 8.0 in 1941. (See table 1.)

During the past 3 years, about 17 out of every 20 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 79.7 in 1937 to 88.5 in 1940, but decreased to 85.0 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 82.1 percent of all defendants pleaded guilty whereas only 2.4 percent were found guilty by jury and 0.5 percent by court. (See table 2.)

Slightly more than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percentage of defendants so sentenced increased from 51.3 in 1937 to 61.5 in 1940, but dropped to 52.1 percent in 1941. With the exception of 1940, the proportion placed on probation or given a suspended sentence increased, as a whole, from 12.4 in 1937 to 16.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NORTH DAKOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	413	481	584	533	536	66.1	84.2	92.6	88.6	84.5
MURDER.....	4	3	4	4	3	0.6	0.5	0.6	0.7	0.5
MANSLAUGHTER.....	8	3	5	4	11	1.3	0.5	0.8	0.7	1.7
ROBBERY.....	8	11	17	12	11	1.3	1.9	2.7	2.0	1.7
AGGRAVATED ASSAULT.....	10	18	23	29	17	1.6	3.2	3.6	4.8	2.7
BURGLARY.....	57	90	98	82	57	9.1	15.8	15.5	13.7	9.0
LARCENY, EXCEPT AUTO THEFT.....	130	131	189	134	166	20.8	23.0	30.0	22.3	26.2
AUTO THEFT.....	27	16	27	31	36	4.3	2.8	4.3	5.2	5.7
EMBEZZLEMENT AND FRAUD.....	35	54	46	55	50	5.6	9.5	7.3	9.2	7.9
STOLEN PROPERTY, RECEIVING, ETC.....	3	8	13	8	15	0.5	1.4	2.1	1.3	2.4
FORGERY AND COUNTERFEITING.....	46	44	35	43	55	7.4	7.7	5.5	7.2	8.7
RAPE.....	28	25	47	38	35	4.5	4.4	7.5	6.3	5.5
OTHER MAJOR OFFENSES.....	57	78	80	93	80	9.1	13.7	12.7	15.5	12.6
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	351	426	505	440	427	56.2	74.6	80.1	73.3	67.3
MURDER.....	3	2	3	3	3	0.5	0.4	0.5	0.5	0.5
MANSLAUGHTER.....	8	3	5	2	6	1.3	0.5	0.8	0.3	0.9
ROBBERY.....	6	10	16	8	8	1.0	1.8	2.5	1.3	1.3
AGGRAVATED ASSAULT.....	10	14	11	24	13	1.6	2.5	1.7	4.0	2.0
BURGLARY.....	50	89	93	72	50	8.0	15.6	14.7	12.0	7.9
LARCENY, EXCEPT AUTO THEFT.....	109	122	169	122	145	17.4	21.4	26.8	20.3	22.8
AUTO THEFT.....	22	15	27	26	32	3.5	2.6	4.3	4.3	5.0
EMBEZZLEMENT AND FRAUD.....	27	47	40	49	35	4.3	8.2	6.3	8.2	5.5
STOLEN PROPERTY, RECEIVING, ETC.....	3	7	12	7	10	0.5	1.2	1.9	1.2	1.6
FORGERY AND COUNTERFEITING.....	43	42	32	36	47	6.9	7.4	5.1	6.0	7.4
RAPE.....	22	20	26	28	21	3.5	3.5	4.1	4.7	3.3
OTHER MAJOR OFFENSES.....	48	55	71	63	57	7.7	9.6	11.3	10.5	9.0

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 98.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 93.8 PERCENT FOR 1938; 98.5 PERCENT FOR 1939; 89.0 PERCENT FOR 1940; AND 97.3 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	351	100.0	426	100.0	505	100.0	440	100.0	427	100.0
DEATH PENALTY.....	183	52.1	262	61.5	270	53.5	228	51.8	219	51.3
STATE PRISONS OR REFORMATORIES.....	59	16.8	50	11.7	71	14.1	55	12.5	53	12.4
PROBATION OR SUSPENDED SENTENCE.....	76	21.7	77	18.1	108	21.4	108	24.5	118	27.6
LOCAL JAILS, WORKHOUSES, ETC.....	10	2.8	8	1.9	22	4.4	10	2.3	13	3.0
FINE OR COSTS ONLY.....	23	6.6	29	6.8	34	6.7	39	8.9	24	5.6
INSTITUTIONS FOR JUVENILES.....	-	0	-	0	-	0	-	0	-	0
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF....	413	100.0	481	100.0	584	100.0	533	100.0	536	100.0
ELIMINATED WITHOUT CONVICTION.....	62	15.0	55	11.4	79	13.5	93	17.4	109	20.3
DISMISSED.....	54	13.0	42	8.7	60	10.3	78	14.6	92	17.2
ACQUITTED BY COURT (JURY WAIVED).....	-	0	2	0.4	1	0.2	-	0	-	0
ACQUITTED BY JURY.....	4	1.0	9	1.9	9	1.5	12	2.3	15	2.8
OTHER NO-PENALTY DISPOSITION.....	4	1.0	2	0.4	9	1.5	3	0.6	2	0.4
CONVICTED.....	351	85.0	426	88.6	505	86.5	440	82.6	427	79.7
PLEA OF GUILTY.....	339	82.1	400	83.2	480	82.2	414	77.7	396	73.9
COURT FINDS GUILTY (JURY WAIVED).....	2	0.5	-	0	3	0.5	10	1.9	3	0.6
JURY VERDICT GUILTY.....	10	2.4	26	5.4	22	3.8	16	3.0	28	5.2

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NORTH DAKOTA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					SENTENCE OR TREATMENT						
	TOTAL DISPOSED OF WITHOUT CONVICTION		ACQUITTED BY COURT (JURY WAIVED)			TOTAL CONVICTED AND SENTENCED		PLEA OF GUILTY			SENTENCE OR TREATMENT						
	NUMBER	PERCENT	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	OTHER	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
ALL OFFENSES.....	767	100.0	95	2	8	5	657	634	7	16	...	202	166	208	52	26	3
MAJOR OFFENSES, TOTAL.....	413	62	54	-	4	4	351	339	2	10	...	183	59	76	10	23	-
MURDER.....	4	1	1	-	-	-	3	1	-	2	...	...	-	1	1	-	-
MANSLAUGHTER.....	8	2	1	-	-	-	6	6	-	1	...	5	1	2	-	1	-
ROBBERY.....	10	7	7	-	-	-	10	9	-	1	...	6	8	6	2	7	-
AGGRAVATED ASSAULT.....	57	21	19	-	-	-	50	47	-	3	...	27	27	26	-	4	-
BURGLARY.....	130	21	15	-	-	-	109	107	1	1	...	16	22	13	-	4	-
LARCENY, EXCEPT AUTO THEFT.....	27	5	5	-	-	-	22	27	-	-	...	8	3	1	-	1	-
AUTO THEFT.....	35	8	7	-	-	-	27	27	-	-	...	2	2	2	-	-	-
EMBEZZLEMENT AND FRAUD.....	3	3	-	-	-	-	3	3	-	-	...	2	2	1	-	3	-
STOLEN PROPERTY, RECEIVING, ETC.....	46	6	4	-	-	-	43	43	-	-	...	15	6	12	1	2	-
FORGERY AND COUNTERFEITING.....	28	6	4	-	-	-	22	21	1	-	...	20	2	3	-	-	-
RAPE.....	1	6	-	-	-	-	1	1	-	-	...	2	2	5	4	-	-
COMMERCIALIZED VICE.....	37	-	-	-	-	-	31	30	-	-	...	6	4	1	-	-	-
OTHER SEX OFFENSES.....	11	3	-	-	-	-	11	11	-	-	...	2	1	2	-	-	-
VIOLATING DRUG LAWS.....	8	2	2	-	-	-	5	4	-	-	...	2	1	2	-	-	-
CARRYING, ETC., WEAPONS.....	4	2	1	-	-	-	2	1	-	-	...	2	-	-	-	-	-
ABORTION.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
ARSON.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
BIGAMY.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
KIDNAPING.....	2	2	-	-	-	-	2	2	-	-	...	-	-	-	-	-	-
PERJURY.....	1	1	-	-	-	-	-	-	-	-	...	-	-	-	-	-	-
MINOR OFFENSES.....	354	48	41	2	4	1	306	295	5	6	...	19	107	132	42	3	3

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: CLASS OR ITEM NOT APPLICABLE ... QUANTITY ZERO, IN NUMBER COLUMNS - QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

UTAH, 1941

The Bureau of the Census received from clerks of court in Utah reports on 352 defendants charged with major offenses who were disposed of in the district courts of 27 of the 29 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 352 persons charged with major offenses in 1941, 280, or about 8 out of every 10, were convicted and sentenced; of these, 131, or slightly more than 9 out of every 20, were sentenced to imprisonment in a State institution; and 128, or about 9 out of every 20, were placed on probation or given a suspended sentence. Of the 5 defendants charged with murder, 2 were convicted and given the death penalty. Of the 279 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 224, or 16 out of every 20, were convicted. Of the 48 persons charged with major crimes against the person

(murder, manslaughter, aggravated assault and rape), 36, or about 15 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 71.4 in 1937 to 76.5 in 1939, and then decreased to 66.5 in 1941. The rate for defendants convicted of major offenses increased from 52.7 in 1938 to 63.7 in 1939, and then decreased to 52.9 in 1941. More defendants were convicted of burglary than of any other offense during the 5-year period. The rate of conviction for burglary increased from 17.2 in 1937 to 24.9 in 1939, and then decreased to 15.9 in 1941. Convictions for larceny ranked second in frequency in 1937, 1939, and 1940, but convictions for forgery and counterfeiting ranked second in 1938 and 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted was lowest in 1938 (73.4 percent), but increased to 83.4 in 1939, and then decreased to 79.5 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 53.7 percent of all defendants pleaded guilty, 23.6 percent were found guilty by jury, and only 2.3 percent were found guilty by court. The percentage of conviction by jury was higher in 1941 than in any of the preceding 4 years. (See table 2.)

About one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. In general, the proportion so sentenced decreased from 56.8 percent in 1937 to 46.8 in 1941. The proportion of defendants placed on probation or given a suspended sentence generally increased from 29.1 percent in 1937 to 45.0 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN UTAH, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	352	394	415	383	377	66.5	73.7	76.5	71.8	71.4
MURDER.....	5	7	8	6	6	0.9	1.3	1.5	1.1	1.1
MANSLAUGHTER.....	11	13	7	18	15	2.1	2.4	1.3	3.4	2.8
ROBBERY.....	28	28	24	25	37	5.3	5.2	4.4	4.7	7.0
AGGRAVATED ASSAULT.....	13	11	16	12	15	2.5	2.1	2.9	2.2	2.8
BURGLARY.....	104	134	153	120	105	19.6	25.1	28.2	22.5	19.9
LARCENY, EXCEPT AUTO THEFT.....	46	62	60	49	80	8.7	11.6	11.1	9.2	15.1
AUTO THEFT.....	4	7	23	11	10	0.8	1.3	4.2	2.1	1.9
EMBEZZLEMENT AND FRAUD.....	21	19	8	21	17	4.0	3.6	1.5	3.9	3.2
STOLEN PROPERTY, RECEIVING, ETC....	8	9	4	2	-	1.5	1.7	0.7	0.4	0
FORGERY AND COUNTERFEITING.....	68	52	47	57	42	12.8	9.7	8.7	10.7	8.0
RAPE.....	19	13	23	16	7	3.6	2.4	4.2	3.0	1.3
OTHER MAJOR OFFENSES.....	25	39	42	46	43	4.7	7.3	7.7	8.6	8.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	280	320	346	281	296	52.9	59.9	63.7	52.7	56.0
MURDER.....	2	4	6	3	3	0.4	0.7	1.1	0.6	0.6
MANSLAUGHTER.....	9	9	5	7	9	1.7	1.7	0.9	1.3	1.7
ROBBERY.....	22	19	19	16	27	4.2	3.6	3.5	3.0	5.1
AGGRAVATED ASSAULT.....	9	5	11	9	7	1.7	0.9	2.0	1.7	1.3
BURGLARY.....	84	114	135	104	91	15.9	21.3	24.9	19.5	17.2
LARCENY, EXCEPT AUTO THEFT.....	37	58	49	33	72	7.0	10.9	9.0	6.2	13.6
AUTO THEFT.....	3	6	23	6	9	0.6	1.1	4.2	1.1	1.7
EMBEZZLEMENT AND FRAUD.....	11	17	6	12	12	2.1	3.2	1.1	2.2	2.3
STOLEN PROPERTY, RECEIVING, ETC....	4	6	3	1	-	0.8	1.1	0.6	0.2	0
FORGERY AND COUNTERFEITING.....	63	49	42	47	31	11.9	9.2	7.7	8.8	5.9
RAPE.....	16	8	21	10	3	3.0	1.5	3.9	1.9	0.6
OTHER MAJOR OFFENSES.....	20	25	26	33	32	3.8	4.7	4.8	6.2	6.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100.0 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1939, 97.1 PERCENT FOR 1940, AND 96.2 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1940 AND 1941 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	352	100.0	394	100.0	415	100.0	383	100.0	377	100.0
ELIMINATED WITHOUT CONVICTION	72	20.5	74	18.8	66	16.6	102	26.6	81	21.5
DISMISSED.....	27	7.7	37	9.4	36	8.7	41	10.7	47	12.5
ACQUITTED BY COURT (JURY WAIVED).....	6	1.7	4	1.0	7	1.7	14	3.7	1	0.3
ACQUITTED BY JURY.....	31	8.8	33	8.4	23	5.5	45	11.7	31	8.2
OTHER NO-PENALTY DISPOSITION.....	8	2.3	-	0	3	0.7	2	0.5	2	0.5
CONVICTED.....	280	79.5	320	81.2	346	83.4	281	73.4	296	78.5
PLEA OF GUILTY.....	189	53.7	251	63.7	257	61.9	208	54.3	221	58.6
COURT FINDS GUILTY (JURY WAIVED).....	8	2.3	7	1.8	12	2.9	13	3.4	9	2.4
JURY VERDICT GUILTY.....	83	23.6	62	15.7	77	18.5	60	15.7	66	17.5

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	280	100.0	320	100.0	346	100.0	281	100.0	296	100.0
DEATH PENALTY.....	2	0.7	2	0.6	-	0	1	0.4	-	0
STATE PRISONS OR REFORMATORIES.....	131	46.8	151	47.2	156	45.1	151	53.7	168	56.8
PROBATION OR SUSPENDED SENTENCE.....	126	45.0	122	38.1	159	46.0	104	37.0	86	29.1
LOCAL JAILS, WORKHOUSES, ETC.....	18	6.4	33	10.3	23	6.6	21	7.5	33	11.1
FINE OR COSTS ONLY.....	2	0.7	9	2.8	6	1.7	1	0.4	5	1.7
INSTITUTIONS FOR JUVENILES.....	1	0.4	-	0	2	0.6	3	1.1	4	1.4
OTHER SENTENCE.....	-	0	3	0.9	-	0	-	0	-	0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: UTAH, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
	TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	477	114	49	9	44	12	363	238	23	102	2	135	149	40	35	1	1
MAJOR OFFENSES, TOTAL.....	352	72	27	6	31	8	280	189	8	83	2	131	126	18	2	1	-
MURDER.....	5	3	-	-	3	-	2	3	-	2	2	-	-	6	-	-	-
MANSLAUGHTER.....	11	2	1	-	5	-	9	12	-	6	-	1	2	2	-	-	-
ROBBERY.....	23	6	2	-	1	1	22	12	-	10	-	14	5	2	-	-	-
AGGRAVATED ASSAULT.....	13	4	2	-	1	2	9	4	-	5	-	3	6	1	-	-	-
BURGLARY.....	104	20	6	2	10	2	84	65	3	16	-	39	43	1	1	-	-
LARCENY, EXCEPT AUTO THEFT.....	46	9	4	-	4	1	37	25	2	10	-	12	21	4	-	-	-
AUTO THEFT.....	4	1	1	-	-	-	3	3	-	-	-	-	2	1	1	-	-
EMBEZZLEMENT AND FRAUD.....	21	10	3	2	4	1	11	8	-	3	-	3	6	2	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	8	4	-	2	1	1	4	-	-	4	-	4	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	68	5	4	-	1	-	63	48	1	14	-	31	30	1	-	1	-
RAPE.....	19	3	1	-	1	1	16	7	-	9	-	14	2	-	-	-	-
COMMERCIALIZED VICE.....	-	-	-	-	1	-	12	8	1	3	-	8	4	-	-	-	-
OTHER SEX OFFENSES.....	14	2	1	-	1	-	1	1	-	-	-	-	1	-	-	-	-
VIOLATING DRUG LAWS.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	10	3	2	-	-	1	7	5	1	1	-	2	4	1	-	-	-
OTHER MAJOR OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	4	-	-	-	-	-	4	3	-	1	-	1	3	-	-	-	-
ARSON.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BIGAMY.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	1	-	-	-	-	-	1	1	-	-	-	-	1	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	1	1	-	-	-	-	2	1	-	-	-	1	-	-	-	-	-
PERJURY.....	3	1	-	-	-	1	2	1	1	-	-	1	-	1	-	-	-
MINOR OFFENSES..... ¹	125	42	22	3	13	4	83	49	15	19	-	4	23	22	33	-	1

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS - QUANTITY ZERO, IN PERCENT COLUMNS 0.

1-755000

JUDICIAL CRIMINAL STATISTICS

COLORADO, 1941

The Bureau of the Census received from clerks of court in Colorado reports on 1,345 defendants charged with major offenses who were disposed of in the district courts of 59 of the 63 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 1,345 persons charged with major offenses in 1941, 1,037, or about 8 out of every 10, were convicted and sentenced; of these, 733, or about 7 out of 10, were sentenced to a State institution; and 265, or about 5 out of 10, were placed on probation or given a suspended sentence. Of the 20 defendants charged with murder, 14 were convicted and sentenced to imprisonment in a State penal institution. Of the 1,094 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 875, or about 8 out of every 10, were

convicted. Of the 178 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 112, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased, from 146.8 in 1937 to 120.8 in 1941. The rate for defendants convicted of major offenses decreased from 110.4 in 1937 to 93.1 in 1941. In 1938 more defendants were charged with and convicted of burglary than of any other offense, but during the other years, the figures were highest for larceny. In general, however, the rates for both larceny and burglary decreased during the 5-year period. The rate for defendants convicted of murder decreased from 2.5 in 1937 to 1.3 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. In 1937, 75.2 percent of the defendants were convicted; in 1939, 78.1 percent; and in 1941, 77.1 percent; of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.3 percent of all defendants pleaded guilty, whereas only 7.7 percent were found guilty by jury and 0.1 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced decreased from 71.1 in 1937 to 59.5 in 1940, but increased to 70.7 in 1941. In contrast, however, the proportion of defendants placed on probation or given a suspended sentence increased from 21.1 in 1937 to 35.2 in 1940, but decreased to 25.6 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN COLORADO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER									
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,345	1,327	1,528	1,546	1,567	120.8	119.1	137.6	141.2	146.8
MURDER.....	20	32	34	31	58	1.8	2.9	3.1	2.8	5.4
MANSLAUGHTER.....	31	32	29	26	39	2.8	2.9	2.6	2.4	3.7
ROBBERY.....	112	88	102	143	95	10.1	7.9	9.2	13.1	8.9
AGGRAVATED ASSAULT.....	56	41	45	53	63	5.0	3.7	4.1	4.8	5.9
BURGLARY.....	277	294	347	381	335	24.9	26.4	31.3	34.8	31.4
LARCENY, EXCEPT AUTO THEFT.....	354	332	418	372	422	31.8	29.8	37.6	34.0	39.5
AUTO THEFT.....	49	71	70	63	81	4.4	6.4	6.3	5.8	7.6
EMBEZZLEMENT AND FRAUD.....	164	187	148	179	191	14.7	16.8	13.3	16.3	17.9
STOLEN PROPERTY, RECEIVING, ETC....	47	29	34	52	22	4.2	2.6	3.1	4.7	2.1
FORGERY AND COUNTERFEITING.....	91	90	127	112	97	8.2	8.1	11.4	10.2	9.1
RAPE.....	71	76	101	76	102	6.4	6.8	9.1	6.9	9.6
OTHER MAJOR OFFENSES.....	73	55	73	58	62	6.6	4.9	6.6	5.3	5.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,037	1,054	1,194	1,273	1,179	93.1	94.6	107.5	116.3	110.4
MURDER.....	14	13	17	16	27	1.3	1.2	1.5	1.5	2.5
MANSLAUGHTER.....	20	25	19	15	27	1.8	2.2	1.7	1.4	2.5
ROBBERY.....	97	79	88	117	80	8.7	7.1	7.9	10.7	7.5
AGGRAVATED ASSAULT.....	35	23	27	35	43	3.1	2.1	2.4	3.2	4.0
BURGLARY.....	238	250	306	324	283	21.4	22.4	27.6	30.5	26.5
LARCENY, EXCEPT AUTO THEFT.....	275	265	329	310	328	24.7	23.8	29.6	28.3	30.7
AUTO THEFT.....	40	60	58	55	62	3.6	5.4	5.2	5.0	5.8
EMBEZZLEMENT AND FRAUD.....	115	146	108	162	130	10.3	13.1	9.7	14.8	12.2
STOLEN PROPERTY, RECEIVING, ETC....	32	24	33	43	17	2.9	2.2	3.0	3.9	1.6
FORGERY AND COUNTERFEITING.....	78	83	109	98	80	7.0	7.4	9.8	9.0	7.5
RAPE.....	43	48	50	44	69	3.9	4.3	4.5	4.0	6.5
OTHER MAJOR OFFENSES.....	50	38	50	44	33	4.5	3.4	4.5	4.0	3.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 98.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 99.8 PERCENT FOR 1938; 99.8 PERCENT FOR 1939; 99.2 PERCENT FOR 1940; AND 99.1 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION. THE RATES ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1037	100.0	1054	100.0	1194	100.0	1273	100.0	1179	100.0
DEATH PENALTY.....	—	0	1	0.1	5	0.4	4	0.3	3	0.3
STATE PRISONS OR REFORMATORIES.....	733	70.7	627	59.5	77.2	64.7	841	66.1	838	71.1
PROBATION OR SUSPENDED SENTENCE.....	265	25.6	371	35.2	348	29.1	321	25.2	249	21.1
LOCAL JAILS, WORKHOUSES, ETC.....	34	3.3	39	3.7	51	4.3	63	4.9	73	6.2
FINE OR COSTS ONLY.....	4	0.4	12	1.1	15	1.3	34	2.7	11	0.9
INSTITUTIONS FOR JUVENILES.....	1	0.1	4	0.4	3	0.3	10	0.8	5	0.4
OTHER SENTENCE.....	—	0	—	0	—	0	—	0	—	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1345	100.0	1327	100.0	1528	100.0	1546	100.0	1567	100.0
ELIMINATED WITHOUT CONVICTION.....	308	22.9	273	20.6	334	21.9	273	17.7	388	24.8
DISMISSED.....	204	15.2	202	15.2	243	15.9	168	10.9	266	17.0
ACQUITTED BY COURT (JURY WAIVED).....	7	0.5	5	0.4	1	0.1	5	0.3	4	0.3
ACQUITTED BY JURY.....	60	4.5	49	3.7	78	5.1	74	4.8	93	5.9
OTHER NON-PENALTY DISPOSITION.....	37	2.8	17	1.3	12	0.8	26	1.7	35	2.2
CONVICTED.....	1037	77.1	1054	79.4	1194	78.1	1273	82.3	1179	75.2
PLEA OF GUILTY.....	932	69.3	956	72.0	1065	69.7	1093	70.7	1006	64.2
COURT FINDS GUILTY (JURY WAIVED).....	2	0.1	10	0.8	9	0.6	32	2.1	5	0.3
JURY VERDICT GUILTY.....	103	7.7	88	6.6	120	7.9	148	9.6	168	10.7

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISONS OR REFORMATORIES					PROBATION OR SUSPENDED SENTENCE				
	TOTAL DISPOSED OF WITHOUT CONVICTION		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		PLEA OF GUILTY		COURT FINDS GUILTY (JURY WAIVED)		JURY VERDICT GUILTY		DEATH PENALTY	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES.....	1,586		384		259		9		71		1,202		1,080		12		110		—	
MAJOR OFFENSES, TOTAL.....	1,345		308		204		7		60		1,037		932		2		103		—	
MURDER.....	20		6		1		—		3		14		3		—		11		—	
MANSLAUGHTER.....	31		11		5		1		5		20		17		—		3		—	
ROBBERY.....	112		15		9		1		5		97		86		1		11		—	
AGGRAVATED ASSAULT.....	56		21		11		1		7		35		26		—		9		—	
BURGLARY.....	277		39		62		1		12		238		225		—		13		—	
LARCENY, EXCEPT AUTO THEFT.....	354		79		22		1		4		252		252		—		23		—	
AUTO THEFT.....	49		9		3		—		5		40		39		—		1		—	
EMBEZZLEMENT AND FRAUD.....	164		49		36		3		6		115		104		—		11		—	
STOLEN PROPERTY, RECEIVING, ETC.....	47		15		15		—		1		32		28		—		4		—	
FORGERY AND COUNTERFEITING.....	91		13		7		1		5		78		77		—		1		—	
RAPE.....	71		28		20		1		4		43		34		—		8		—	
COMMERCIALIZED VICE.....	—		—		—		—		—		—		—		—		—		—	
OTHER SEX OFFENSES.....	42		9		4		—		1		33		26		—		7		—	
VIOLATING DRUG LAWS.....	1		—		—		—		—		1		1		—		—		—	
CARRYING, ETC., WEAPONS.....	29		14		9		—		4		15		14		—		—		—	
OTHER MAJOR OFFENSES.....	7		2		2		—		—		4		4		—		—		—	
ADULTERY.....	9		4		3		—		—		5		4		—		—		—	
ARSON.....	2		1		—		—		—		1		1		—		—		—	
BIGAMY.....	—		—		—		—		—		—		—		—		—		—	
BLACKMAIL AND EXTORTION.....	—		—		—		—		—		—		—		—		—		—	
ESCAPE AND JAIL BREAK.....	—		—		—		—		—		—		—		—		—		—	
KIDNAPING.....	10		6		4		—		—		—		—		—		—		—	
PERJURY.....	2		1		—		—		—		—		—		—		—		—	
MINOR OFFENSES.....	241		76		55		2		11		165		148		10		7		—	

THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN DISTRICT COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

CONNECTICUT, 1941

(Statistics are for the year July 1 through June 30)

The Bureau of the Census received from clerks of court in Connecticut reports on 959 defendants charged with major offenses who were disposed of in the superior and common pleas courts of the 8 counties during the fiscal year ending June 30, 1942. Of these 959 defendants, 841, or about 17 out of 20, were convicted and sentenced; of these, 288, or about 7 out of 20, were sentenced to a State prison or reformatory; 231, or about 5 out of 20, were placed on probation; and 295, or about 7 out of 20, were sentenced to a local jail or workhouse. Of the 10 defendants convicted of murder, 1 received the death penalty and 9 were sentenced to a State prison or reformatory. Of the 523 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 462 or about 88 out of every 100, were convicted. Of the 182 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 163, or about 90 out of every 100, were convicted. (See table 4.)

For the fiscal year ending June 30, 1942, the rate for defendants charged with major offenses was 56.1 per 100,000 population. During the 4 preceding years, the rate had decreased from 70.4 for the fiscal year ending in June 1938, to 52.7 for the year ending in June 1941. The rate for defendants convicted followed the same trend, decreasing from 59.6 for the fiscal year 1938 to 49.2 for the fiscal year 1941, but increasing to 49.2 in the fiscal year 1942. In each of the 5 years, more defendants were convicted of burglary than were convicted of any other offense. The rate for defendants convicted of burglary decreased, however, from 18.6 for the fiscal year ending in 1938 to 9.7 for the year ending in 1942. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were convicted. The proportion of defendants convicted has been slightly higher during the past 3 years than during the 2 preceding years. During the fiscal year

ending in 1942, 87.7 percent were convicted as compared with 88.4 percent during the fiscal year ending in 1940, and 84.8 percent for the year ending in 1939. Of all defendants convicted, the greatest proportion have pleaded guilty. During the fiscal year 1942, 82.0 percent of all defendants pleaded guilty as compared with 4.2 percent found guilty by court and 1.6 percent by jury verdict.

During each of the past 5 years, the proportion of defendants sentenced to State prisons and reformatories was almost the same as the proportion placed on probation or sentenced to a local jail, workhouse, etc. In the fiscal year ending in June 1942, 34.2 percent were sentenced to a State prison or reformatory, 27.5 percent were placed on probation or given a suspended sentence, and 35.1 percent were sentenced to a local jail or workhouse. In the fiscal year ending in June 1938, the corresponding proportions were 32.7 percent, 31.7 percent, and 32.5 percent; for the year ending in 1940, the proportions were 37.1 percent, 27.6 percent, and 32.1 percent. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of during the fiscal year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during the last 5 fiscal years is presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of during the fiscal year ending June 30, 1942, are presented in table 4 by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN CONNECTICUT, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1942

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER									
	1941-1942	1940-1941	1939-1940	1938-1939	1937-1938	1941-1942	1940-1941	1939-1940	1938-1939	1937-1938
MAJOR OFFENSES, TOTAL.....	959	901	954	1,029	1,168	56.1	52.7	56.4	61.6	70.4
MURDER.....	10	9	3	10	10	0.6	0.5	0.2	0.6	0.6
MANSLAUGHTER.....	47	45	33	36	48	2.7	2.6	2.0	2.2	2.9
ROBBERY.....	73	66	91	64	66	4.3	3.9	5.4	3.8	4.0
AGGRAVATED ASSAULT.....	40	25	38	30	32	2.3	1.5	2.2	1.8	1.9
BURGLARY.....	175	189	244	292	340	10.2	11.1	14.4	17.5	20.5
LARCENY, EXCEPT AUTO THEFT.....	94	86	82	94	137	5.5	5.0	4.9	5.6	8.3
AUTO THEFT.....	97	82	71	62	104	5.7	4.8	4.2	3.7	6.3
EMBEZZLEMENT AND FRAUD.....	43	68	77	71	54	2.5	4.0	4.6	4.2	3.3
STOLEN PROPERTY, RECEIVING, ETC....	22	12	13	16	26	1.3	0.7	0.8	1.0	1.6
FORGERY AND COUNTERFEITING.....	19	23	15	22	21	1.1	1.3	0.9	1.3	1.3
RAPE.....	85	83	60	80	48	5.0	4.9	3.6	4.8	2.9
OTHER MAJOR OFFENSES.....	254	213	227	252	282	14.9	12.5	13.4	15.1	17.0
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	841	780	843	873	990	49.2	45.6	49.9	52.2	59.6
MURDER.....	10	8	3	7	6	0.6	0.5	0.2	0.4	0.4
MANSLAUGHTER.....	36	28	20	23	33	2.1	1.6	1.2	1.4	2.0
ROBBERY.....	62	58	82	57	52	3.6	3.4	4.9	3.4	3.1
AGGRAVATED ASSAULT.....	38	21	36	25	26	2.2	1.2	2.1	1.5	1.6
BURGLARY.....	165	172	227	271	309	9.7	10.1	13.4	16.2	18.6
LARCENY, EXCEPT AUTO THEFT.....	77	74	70	78	115	4.5	4.3	4.1	4.7	6.9
AUTO THEFT.....	87	78	68	59	93	5.1	4.6	4.0	3.5	5.6
EMBEZZLEMENT AND FRAUD.....	36	60	68	61	47	2.1	3.5	4.0	3.7	2.8
STOLEN PROPERTY, RECEIVING, ETC....	17	10	13	13	20	1.0	0.6	0.8	0.8	1.2
FORGERY AND COUNTERFEITING.....	18	21	14	19	20	1.1	1.2	0.8	1.1	1.2
RAPE.....	79	64	51	73	36	4.6	3.7	3.0	4.4	2.2
OTHER MAJOR OFFENSES.....	216	186	191	187	233	12.6	10.9	11.3	11.2	14.0

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATION OF POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941-1942		1940-1941		1939-1940		1938-1939		1937-1938	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	841	100.0	780	100.0	843	100.0	873	100.0	990	100.0
DEATH PENALTY.....	1	0.1	-	-	-	-	2	0.2	-	0
STATE PRISONS OR REFORMATORIES.....	288	34.2	230	29.5	313	37.1	255	29.2	324	32.7
PROBATION OR SUSPENDED SENTENCE.....	231	27.5	250	32.1	233	27.6	297	34.0	314	31.7
LOCAL JAILS, WORKHOUSES, ETC.....	295	35.1	265	34.0	271	32.1	304	34.8	322	32.5
FINE OR COSTS ONLY.....	25	3.1	25	3.3	26	3.1	15	1.7	29	2.9
INSTITUTIONS FOR JUVENILES.....	-	-	9	1.2	-	-	-	-	1	0.1
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941-1942		1940-1941		1939-1940		1938-1939		1937-1938	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	959	100.0	901	100.0	954	100.0	1,029	100.0	1,168	100.0
ELIMINATED WITHOUT CONVICTION.....	118	12.3	121	13.4	111	11.6	156	15.2	178	15.2
DISMISSED.....	96	10.0	90	10.1	91	9.5	140	13.6	154	13.2
ACQUITTED BY COURT (JURY WAIVED).....	10	1.0	12	1.3	11	1.2	12	1.2	14	1.2
ACQUITTED BY JURY.....	7	0.7	4	0.4	5	0.5	1	0.1	2	0.2
OTHER NO-PENALTY DISPOSITION.....	5	0.5	15	1.7	4	0.4	3	0.3	8	0.7
CONVICTED.....	841	87.7	780	86.6	843	88.4	873	84.8	990	84.8
PLEA OF GUILTY.....	786	82.0	721	80.0	755	79.1	821	79.8	896	76.9
COURT FINDS GUILTY (JURY WAIVED).....	40	4.2	42	4.7	54	5.7	36	3.5	66	5.7
JURY VERDICT GUILTY.....	15	1.6	17	1.9	34	3.6	16	1.6	26	2.2

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1941-1942

OFFENSE	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT									
	TOTAL DISPOSED OF WITHOUT CONVICTION		DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED		DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE			
ALL OFFENSES.....	1,532	311	260	30	15	1,221	1,082	1	316	296	413	193	1	1	-	-
MAJOR OFFENSES, TOTAL.....	959	118	96	10	7	841	786	1	288	251	295	26	-	-	-	-
MURDER.....	10	-	-	-	-	10	8	1	9	-	-	-	-	-	-	-
MANSLAUGHTER.....	47	11	9	1	1	36	32	-	14	7	6	9	-	-	-	-
ROBBERY.....	73	11	9	1	2	62	58	-	41	6	15	1	-	-	-	-
AGGRAVATED ASSAULT.....	40	2	2	-	-	38	36	-	14	3	20	1	-	-	-	-
BURGLARY.....	175	10	8	1	1	165	159	-	53	85	47	4	-	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	94	17	12	4	-	77	71	-	13	26	34	-	-	-	-	-
AUTO THEFT.....	97	10	6	1	-	85	85	-	15	8	13	-	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	43	5	5	-	-	36	35	-	3	5	7	-	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	22	1	1	-	-	17	16	-	3	3	12	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	19	1	1	-	-	18	18	-	21	21	9	-	-	-	-	-
RUPE.....	85	6	3	1	1	79	73	-	29	29	2	-	-	-	-	-
COMMERCIALIZED VICE.....	17	3	2	-	-	14	11	-	2	1	9	-	-	-	-	-
OTHER SEX OFFENSES.....	165	27	21	1	2	138	129	-	35	40	63	2	-	-	-	-
VIOLATING DRUG LAWS.....	4	-	-	-	-	4	4	-	-	1	3	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	12	-	-	-	-	12	11	-	3	6	7	-	-	-	-	-
OTHER MAJOR OFFENSES.....	36	8	8	-	-	48	40	-	24	11	3	-	-	-	-	-
ABORTION.....	15	4	4	-	-	11	8	-	7	6	2	-	-	-	-	-
ARSON.....	13	1	1	-	-	12	11	-	1	3	2	-	-	-	-	-
BIGAMY.....	12	3	3	-	-	9	9	-	4	3	2	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	15	-	-	-	-	15	12	-	11	2	2	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-
KIDNAPING.....	1	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-
PERJURY.....	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	573	193	164	20	8	380	296	11	28	65	118	167	1	1	-	-

1. THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO. IN NUMBER COLUMNS - QUANTITY ZERO. IN PERCENT COLUMNS -

JUDICIAL CRIMINAL STATISTICS

SOUTH DAKOTA, 1941

The Bureau of the Census received from clerks of court in South Dakota reports on 384 defendants charged with major offenses who were disposed of in the circuit courts of the 69 counties during the calendar year 1941. Of the 384 persons charged with major offenses in 1941, 334, or 9 out of every 10, were convicted and sentenced; of these, 202, or 6 out of every 10, were sentenced to imprisonment in a State institution for adults; 68, or about 2 out of every 10, were placed on probation or given a suspended sentence. Two defendants charged with murder were convicted and given the death penalty. Of the 319 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 279, or about 9 out of every 10 were convicted. Of the 38 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 33, or about 9 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 80.4 in 1937 to 59.7 in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 68.4 in 1938 to 51.9 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense, but the rate for defendants convicted of larceny decreased from 26.5 in 1938 to 18.8 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were convicted. In 1937, 83.8 percent of the defendants were convicted; in 1939, 88.7 percent; and in 1941, 87.0

percent. In 1941, 81.0 percent of all defendants pleaded guilty, whereas 3.4 percent were found guilty by jury and 2.6 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 55.7 in 1939 to 60.5 in 1941. The proportion of defendants placed on probation or given a suspended sentence increased from 18.6 in 1937 to 22.8 in 1940, but decreased to 20.4 in 1941. The proportion sentenced to local jails and workhouses also fluctuated from year to year, increasing from 17.9 in 1937 to 20.2 in 1938, decreasing to 14.4 in 1940, and registering a slight increase to 15.9 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN SOUTH DAKOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	384	478	468	392	526	59.7	74.3	76.9	78.7	80.4
MURDER.....	2	4	3	-	3	0.3	0.6	0.5	0	0.5
MANSLAUGHTER.....	2	7	6	4	6	0.3	1.1	1.0	0.8	0.9
ROBBERY.....	15	9	11	5	12	2.3	1.4	1.8	1.0	1.8
AGGRAVATED ASSAULT.....	11	15	11	12	15	1.7	2.3	1.8	2.4	2.3
BURGLARY.....	47	78	81	74	89	7.3	12.1	13.3	14.9	13.6
LARCENY, EXCEPT AUTO THEFT.....	134	151	156	151	169	20.8	23.5	25.6	30.3	25.8
AUTO THEFT.....	19	23	17	9	18	3.0	3.6	2.8	1.8	2.8
EMBEZZLEMENT AND FRAUD.....	35	48	37	21	38	5.4	7.5	6.1	4.2	5.8
STOLEN PROPERTY, RECEIVING, ETC.....	6	5	11	8	12	0.9	0.8	1.8	1.6	1.8
FORGERY AND COUNTERFEITING.....	63	81	69	50	67	9.8	12.6	11.3	10.0	10.2
RAPE.....	23	22	26	21	24	3.6	3.4	4.3	4.2	3.7
OTHER MAJOR OFFENSES.....	27	35	40	37	73	4.2	5.4	6.6	7.4	11.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	334	416	415	341	441	51.9	64.7	68.2	68.4	67.4
MURDER.....	2	2	3	-	3	0.3	0.3	0.5	0	0.5
MANSLAUGHTER.....	2	3	4	2	5	0.3	0.5	0.7	0.4	0.8
ROBBERY.....	14	7	11	3	11	2.2	1.1	1.8	0.6	1.7
AGGRAVATED ASSAULT.....	10	10	6	10	10	1.6	1.6	1.0	2.0	1.5
BURGLARY.....	40	74	71	65	71	6.2	11.5	11.7	13.0	10.9
LARCENY, EXCEPT AUTO THEFT.....	121	139	147	132	146	18.8	21.6	24.2	26.5	22.3
AUTO THEFT.....	16	20	17	9	17	2.5	3.1	2.8	1.8	2.6
EMBEZZLEMENT AND FRAUD.....	23	37	32	18	28	3.6	5.8	5.3	3.6	4.3
STOLEN PROPERTY, RECEIVING, ETC.....	5	3	11	8	11	0.8	0.5	1.8	1.6	1.7
FORGERY AND COUNTERFEITING.....	60	78	64	48	65	9.3	12.1	10.5	9.6	9.9
RAPE.....	19	15	19	18	14	3.0	2.3	3.1	3.6	2.1
OTHER MAJOR OFFENSES.....	22	28	30	28	60	3.4	4.4	4.9	5.6	9.2

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 99.7 PERCENT OF THE POPULATION OF THE STATE IN 1937; 76.8 PERCENT IN 1938; 4 PERCENT IN 1939; AND 100 PERCENT IN 1940 AND 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATIONS COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF...	334	100.0	478	100.0	468	100.0	392	100.0	526	100.0
ELIMINATED WITHOUT CONVICTION	50	13.0	62	13.0	53	11.3	51	13.0	85	16.2
DISMISSED.....	37	9.6	44	9.2	38	8.1	35	8.9	70	13.3
ACQUITTED BY COURT (JURY WAIVED).....	—	—	0	0.2	—	0	0	0.5	1	0.2
ACQUITTED BY JURY.....	10	2.6	11	2.3	13	2.8	13	3.3	13	2.5
OTHER NO-PENALTY DISPOSITION.....	3	0.8	6	1.3	2	0.4	1	0.3	1	0.2
CONVICTED.....	334	87.0	416	87.0	415	88.7	341	87.0	441	83.8
PLEA OF GUILTY.....	311	81.0	387	81.0	374	79.9	305	77.8	406	77.2
COURT FINDS GUILTY (JURY WAIVED).....	10	2.6	17	3.6	22	4.7	26	6.6	9	1.7
JURY VERDICT GUILTY.....	13	3.4	12	2.5	19	4.1	10	2.6	25	4.9

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	334	100.0	416	100.0	415	100.0	341	100.0	441	100.0
DEATH PENALTY.....	2	0.6	—	—	—	—	—	—	—	—
STATE PRISONS OR REFORMATORIES.....	202	60.5	246	59.1	231	55.7	191	56.0	257	58.3
PROBATION OR SUSPENDED SENTENCE.....	68	20.4	95	22.8	87	21.0	68	19.9	82	18.6
LOCAL JAILS, WORKHOUSES, ETC.....	53	15.9	60	14.4	79	19.0	69	20.2	79	17.9
FINE OR COSTS ONLY.....	7	2.1	11	2.6	7	1.7	7	2.1	16	3.6
INSTITUTIONS FOR JUVENILES.....	2	0.6	4	1.0	11	2.7	6	1.8	7	1.6
OTHER SENTENCE.....	—	—	—	—	—	—	—	—	—	—

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT							
	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT VERDICT (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	642	83	63	-	16	4	559	525	15	19	2	212	143	116	81	5	-	
MAJOR OFFENSES, TOTAL.....	384	50	37	-	10	3	334	311	10	13	2	202	68	53	7	2	-	
MURDER.....	2	-	-	-	-	-	2	2	-	-	2	-	-	-	-	-	-	
MANSLAUGHTER.....	2	-	-	-	-	-	2	-	-	-	-	2	-	-	-	-	-	
ROBBERY.....	15	1	-	-	1	-	14	13	-	1	-	10	3	1	-	-	-	
AGGRAVATED ASSAULT.....	11	1	1	-	-	-	10	9	-	1	-	7	-	1	-	-	-	
BURGLARY.....	47	7	6	-	-	1	40	39	-	1	-	27	11	2	-	-	-	
LARCENY, EXCEPT AUTO THEFT.....	134	13	10	-	2	1	121	112	5	4	-	69	25	25	1	-	-	
AUTO THEFT.....	19	3	3	-	-	-	16	16	-	-	-	10	1	5	-	-	-	
EMBEZZLEMENT AND FRAUD.....	35	12	7	-	4	1	23	21	2	-	-	11	6	3	3	-	-	
STOLEN PROPERTY, RECEIVING, ETC.....	6	1	-	-	1	-	5	5	-	-	-	2	1	3	-	-	-	
FORGERY AND COUNTERFEITING.....	63	3	3	-	-	-	60	58	2	-	-	37	10	11	2	-	-	
RAPE.....	23	4	3	-	1	-	19	17	1	1	-	14	5	-	-	-	-	
COMMERCIALIZED VICE.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
OTHER SEX OFFENSES.....	12	1	1	-	-	-	11	10	-	1	-	7	4	-	-	-	-	
VIOLATING DRUG LAWS.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
CARRYING, ETC., WEAPONS.....	6	3	2	-	1	-	3	3	-	-	-	1	1	1	-	-	-	
OTHER MAJOR OFFENSES.....	9	1	1	-	-	-	8	6	-	2	-	5	-	3	-	-	-	
ABORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ARSON.....	6	1	1	-	-	-	5	3	-	2	-	4	-	1	-	-	-	
BIGAMY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
BLACKMAIL AND EXTORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ESCAPE AND JAIL BREAK.....	3	-	-	-	-	-	3	3	-	-	-	1	-	2	-	-	-	
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
PERJURY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
MINOR OFFENSES ¹	258	33	26	-	6	1	225	214	5	6	-	10	75	63	74	3	-	

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: — QUANTITY ZERO, IN NUMBER COLUMNS; — QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

NEW MEXICO, 1941

The Bureau of the Census received from clerks of court in New Mexico reports on 974 defendants charged with major offenses who were disposed of in the district courts of the 31 counties during the calendar year 1941. Of these 974 defendants, 665, or about 7 out of 10, were convicted and sentenced; of these, 342, or about 5 out of 10, were sentenced to a State institution; 229, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 23 defendants charged with murder, 12 were convicted, 1 received the death penalty, and 11 were sentenced to a State institution. Of the 658 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 488, or about 7 out of every 10, were convicted. Of the 229 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 132, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 169.7 in 1937 to 196.6 in 1939, but had decreased to 183.1 in 1941. The rate for defendants convicted of major offenses increased from 128.2 in 1937 to 142.5 in 1938 and then decreased to 125.0 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense. The rate for defendants convicted of larceny decreased, however, from 52.9 in 1939 to 36.7 in 1941. (See table 1.)

During the past 5 years, approximately 7 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted

decreased from 75.5 percent in 1937 to 68.3 percent in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 58.4 percent of all defendants pleaded guilty, whereas only 6.2 were found guilty by jury and 3.7 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percentage so sentenced had decreased from 63.8 in 1937 to 51.4 in 1941. In contrast, however, the proportion of defendants placed on probation or given a suspended sentence increased from 24.3 in 1937 to 37.9 in 1939, but decreased to 34.4 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW MEXICO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	974	969	1,008	955	838	183.1	182.2	196.6	189.7	169.7
MURDER.....	23	27	18	50	43	4.3	5.1	3.5	9.9	8.7
MANSLAUGHTER.....	29	23	23	24	16	5.5	4.3	4.5	4.8	3.2
ROBBERY.....	33	32	23	24	29	6.2	6.0	4.5	4.8	5.9
AGGRAVATED ASSAULT.....	114	100	115	126	104	21.4	18.8	22.4	25.0	21.1
BURGLARY.....	79	90	98	81	65	14.9	16.9	19.1	16.1	13.2
LARCENY, EXCEPT AUTO THEFT.....	271	296	343	288	273	51.0	55.7	66.9	57.2	55.3
AUTO THEFT.....	55	43	43	36	27	10.3	8.1	8.4	7.2	5.5
EMBEZZLEMENT AND FRAUD.....	78	79	83	69	81	14.7	14.9	16.2	13.7	16.4
STOLEN PROPERTY, RECEIVING, ETC....	24	28	25	50	33	4.5	5.3	4.9	9.9	6.7
FORGERY AND COUNTERFEITING.....	118	127	107	81	65	22.2	23.9	20.9	16.1	13.2
RAPE.....	63	40	52	58	42	11.8	7.5	10.1	11.5	8.5
OTHER MAJOR OFFENSES.....	87	84	78	68	60	16.4	15.8	15.2	13.5	12.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	665	685	728	717	633	125.0	128.8	142.0	142.5	128.2
MURDER.....	12	18	13	35	31	2.3	3.4	2.5	7.0	6.3
MANSLAUGHTER.....	18	18	12	13	10	3.4	3.4	2.3	2.6	2.0
ROBBERY.....	22	27	17	21	26	4.1	5.1	3.3	4.2	5.3
AGGRAVATED ASSAULT.....	62	52	54	66	66	11.7	9.8	10.5	13.1	13.4
BURGLARY.....	63	78	79	66	57	11.8	14.7	15.4	13.1	11.5
LARCENY, EXCEPT AUTO THEFT.....	195	199	271	242	220	36.7	37.4	52.9	48.1	44.6
AUTO THEFT.....	48	37	34	32	23	9.0	7.0	6.6	6.4	4.7
EMBEZZLEMENT AND FRAUD.....	46	56	56	47	60	8.6	10.5	10.9	9.3	12.2
STOLEN PROPERTY, RECEIVING, ETC....	20	17	17	40	20	3.8	3.2	3.3	7.9	4.1
FORGERY AND COUNTERFEITING.....	94	101	91	73	56	17.7	19.0	17.7	14.5	11.3
RAPE.....	40	25	34	31	24	7.5	4.7	6.6	6.2	4.9
OTHER MAJOR OFFENSES.....	45	57	50	51	40	8.5	10.7	9.8	10.1	8.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 98.0 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1939, AND 100.0 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION. THE RATES FOR 1937-1939 ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	974	100.0	969	100.0	1,008	100.0	955	100.0	838	100.0
ELIMINATED WITHOUT CONVICTION.....	309	31.7	284	29.3	280	27.8	238	24.9	205	24.5
DISMISSED.....	242	24.8	223	23.0	237	23.5	183	19.2	143	17.1
ACQUITTED BY COURT (JURY WAIVED).....	5	0.5	9	0.9	4	0.4	1	0.1	-	0
ACQUITTED BY JURY.....	53	5.4	36	3.7	39	3.9	51	5.3	57	6.8
OTHER NON-PENALTY DISPOSITION.....	9	0.9	16	1.7	-	0	3	0.3	5	0.6
CONVICTED.....	665	68.3	685	70.7	728	72.2	717	75.1	633	75.5
PLEA OF GUILTY.....	559	58.4	615	63.5	661	65.6	622	65.1	528	63.0
COURT FINDS GUILTY (JURY WAIVED).....	36	3.7	25	2.6	5	0.5	33	3.5	19	2.3
JURY VERDICT GUILTY.....	60	6.2	45	4.6	62	6.2	62	6.5	86	10.3

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	665	100.0	685	100.0	728	100.0	717	100.0	633	100.0
DEATH PENALTY.....	1	0.2	-	-	0	0.1	4	0.6	3	0.5
STATE PRISONS OR REFORMATORIES.....	342	51.4	360	52.6	377	51.8	389	54.3	404	63.8
PROBATION OR SUSPENDED SENTENCE.....	229	34.4	237	34.6	276	37.9	248	34.6	154	24.3
LOCAL JAILS, WORKHOUSES, ETC.....	45	6.8	47	6.9	40	5.5	39	5.4	38	6.0
FINE OR COSTS ONLY.....	25	3.8	13	1.9	24	3.3	14	2.0	29	4.6
INSTITUTIONS FOR JUVENILES.....	23	3.5	28	4.1	10	1.4	23	3.2	5	0.8
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT									
		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE			
		TOTAL OIATED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY								COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	
ALL OFFENSES.....	1,477	477	397	8	60	12	1,000	872	58	70	1	356	387	132	91	32	1
MAJOR OFFENSES, TOTAL.....	974	309	242	5	53	9	665	589	36	60	1	342	229	45	25	23	-
MURDER.....	23	11	3	-	8	-	12	7	-	5	1	11	2	-	-	-	-
MANSLAUGHTER.....	29	11	9	1	1	-	18	10	-	8	-	16	1	-	-	-	-
ROBBERY.....	33	11	7	-	4	-	22	18	-	4	-	19	2	-	2	-	-
AGGRAVATED ASSAULT.....	114	52	40	-	12	-	62	51	-	7	-	24	22	6	8	2	-
BURGLARY.....	79	16	12	-	2	-	63	54	-	3	-	31	20	5	2	5	-
LARCENY, EXCEPT AUTO THEFT.....	271	76	66	-	6	-	195	178	-	12	-	88	84	12	4	7	-
AUTO THEFT.....	55	7	4	-	3	-	48	41	-	5	-	21	20	8	4	5	-
EMBEZZLEMENT AND FRAUD.....	78	32	28	1	3	-	46	34	-	7	-	18	9	3	5	1	-
STOLEN PROPERTY, RECEIVING, ETC.....	24	4	4	-	2	-	20	18	-	1	-	9	6	3	2	1	-
FORGERY AND COUNTERFEITING.....	118	24	20	1	2	1	94	86	-	3	-	58	31	2	2	1	-
RAPE.....	63	23	15	-	8	-	40	34	-	1	-	29	10	-	1	-	-
COMMERCIALIZED VICE.....	3	1	1	-	-	-	2	2	-	-	-	12	5	2	-	2	-
OTHER SEX OFFENSES.....	40	19	17	1	1	-	21	18	-	1	-	1	1	2	-	-	-
VIOLATING DRUG LAWS.....	8	6	4	1	1	-	2	-	-	2	-	2	7	2	-	-	-
CARRYING, ETC., WEAPONS.....	19	8	7	-	1	-	11	11	-	1	-	3	6	-	-	-	-
OTHER MAJOR OFFENSES.....	17	8	5	-	1	-	9	7	-	1	-	1	2	-	-	-	-
ADULTERY.....	1	1	1	-	-	-	-	-	-	1	-	1	2	-	-	-	-
ABSON.....	8	5	3	-	-	-	3	3	-	-	-	3	3	-	-	-	-
BIGAMY.....	3	-	-	-	-	-	3	3	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	5	2	1	-	1	-	3	2	-	1	-	2	1	-	-	-	-
MINOR OFFENSES.....	503	168	155	3	7	3	335	303	22	10	-	14	158	87	66	9	1

1 THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS, AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

WASHINGTON, 1941

The Bureau of the Census received from clerks of court in Washington reports on 1,334 defendants charged with major offenses who were disposed of in the superior courts of 36 of the 39 counties during the calendar year 1941. Of these 1,334 defendants, 1,152, or about 9 out of 10, were convicted and sentenced; of these, 628, or about 5 out of 10, were sentenced to a State institution; 369, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 13 defendants charged with murder, 11 were convicted, 1 received the death penalty, and 10 were sentenced to a State institution. Of the 1,037 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 909, or about 9 out of every 10, were convicted. Of the 129 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 102, or about 8 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 97.5 in 1938 to 80.3 in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 80.9 in 1938 to 69.3 in 1941. More defendants were charged with and convicted of larceny than of any other offense in each of the 5 years; convictions for burglary ranked second in number. Although the rate for defendants convicted of larceny was 24.5 in 1939, it decreased to 18.5 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 100 defendants charged with major offenses were con-

victed. The percentage of defendants convicted has increased from 81.6 in 1937 to 86.4 in 1941. Of all the defendants convicted, the greatest proportion pleaded guilty. In 1941, 76.6 percent of all defendants pleaded guilty, whereas only 7.1 were found guilty by jury and 2.6 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percentage so sentenced decreased from 65.7 in 1937 to 54.5 in 1941. In contrast, however, the proportion of all defendants placed on probation or given a suspended sentence increased from 15.0 in 1937 to 32.0 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses, during 1941 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN WASHINGTON,
BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,334	1,584	1,614	1,637	1,579	80.3	91.2	94.6	97.5	95.4
MURDER.....	13	16	13	32	23	0.8	0.9	0.8	1.9	1.4
MANSLAUGHTER.....	49	42	29	44	67	2.9	2.4	1.7	2.6	4.0
ROBBERY.....	76	76	88	83	76	4.6	4.4	5.2	4.9	4.6
AGGRAVATED ASSAULT.....	36	55	45	66	54	2.2	3.2	2.6	4.0	3.3
BURGLARY.....	257	324	377	361	298	15.5	18.7	22.1	21.5	18.0
LARCENY, EXCEPT AUTO THEFT.....	366	476	507	456	440	22.0	27.4	29.7	27.2	26.6
AUTO THEFT.....	169	122	124	97	116	10.2	7.0	7.3	5.8	7.0
EMBEZZLEMENT AND FRAUD.....	28	51	10	30	49	1.7	2.9	0.6	1.8	3.0
STOLEN PROPERTY, RECEIVING, ETC....	22	19	10	13	22	1.3	1.1	0.6	0.8	1.3
FORGERY AND COUNTERFEITING.....	119	187	161	205	167	7.2	10.8	9.4	12.2	10.1
RAPE.....	31	48	22	45	60	1.9	2.8	1.3	2.7	3.6
OTHER MAJOR OFFENSES.....	168	168	228	205	207	10.1	9.7	13.4	12.2	12.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,152	1,343	1,360	1,357	1,289	69.3	77.4	79.7	80.9	77.9
MURDER.....	11	10	7	19	17	0.7	0.6	0.4	1.1	1.0
MANSLAUGHTER.....	35	26	17	28	45	2.1	1.5	1.0	1.7	2.7
ROBBERY.....	61	66	71	70	66	3.7	3.8	4.2	4.2	4.0
AGGRAVATED ASSAULT.....	32	44	33	53	48	1.9	2.5	2.0	3.2	2.9
BURGLARY.....	236	300	349	323	273	14.2	17.3	20.5	19.2	16.5
LARCENY, EXCEPT AUTO THEFT.....	307	401	418	383	350	18.5	23.1	24.5	22.8	21.1
AUTO THEFT.....	154	108	110	82	104	9.3	6.2	6.4	4.9	6.3
EMBEZZLEMENT AND FRAUD.....	23	31	5	11	25	1.4	1.8	0.3	0.7	1.5
STOLEN PROPERTY, RECEIVING, ETC....	16	14	9	10	17	1.0	0.8	0.5	0.6	1.0
FORGERY AND COUNTERFEITING.....	112	174	146	178	150	6.7	10.0	8.6	10.6	9.1
RAPE.....	24	37	16	30	43	1.4	2.1	0.9	1.8	2.6
OTHER MAJOR OFFENSES.....	141	132	179	170	151	8.5	7.6	10.5	10.1	9.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100.0 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1940, AND 95.7 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1941 ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1152	100.0	1343	100.0	1360	100.0	1357	100.0	1289	100.0
DEATH PENALTY.....	1	0.1	4	0.3	2	0.1	4	0.3	5	0.4
STATE PRISONS OR REFORMATORIES.....	628	54.5	766	57.0	776	57.1	853	62.9	847	65.7
PROBATION OR SUSPENDED SENTENCE.....	369	32.0	381	28.4	356	26.2	288	21.2	193	15.0
LOCAL JAILS, WORKHOUSES, ETC.....	139	12.1	182	13.6	203	14.9	198	14.6	231	17.9
FINE OR COSTS ONLY.....	13	1.1	10	0.7	12	0.9	7	0.5	13	1.0
INSTITUTIONS FOR JUVENILES.....	2	0.2	-	-	9	0.7	7	0.5	-	-
OTHER SENTENCE.....	-	-	0	-	2	0.1	-	-	-	-

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1334	100.0	1584	100.0	1614	100.0	1637	100.0	1579	100.0
ELIMINATED WITHOUT CONVICTION.....	182	13.6	241	15.2	254	15.7	280	17.1	290	18.4
DISMISSED.....	140	10.5	186	11.7	177	11.0	200	12.2	219	13.9
ACQUITTED BY COURT (JURY WAIVED).....	1	0.1	1	0.1	1	0.1	6	0.4	2	0.1
ACQUITTED BY JURY.....	39	2.9	40	2.5	58	3.6	58	3.5	52	3.3
OTHER NO-PENALTY DISPOSITION.....	2	0.1	14	0.9	18	1.1	16	1.0	17	1.1
CONVICTED.....	1152	86.4	1343	84.8	1360	84.3	1357	82.9	1289	81.6
PLEA OF GUILTY.....	1022	76.6	1234	77.9	1235	76.5	1206	73.7	1128	71.4
COURT FINDS GUILTY (JURY WAIVED).....	35	2.6	2	0.1	4	0.2	19	1.2	18	1.1
JURY VERDICT GUILTY.....	95	7.1	107	6.8	121	7.5	132	8.1	143	9.1

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY					STATE PRISONS OR REFORMATORIES				
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY											
ALL OFFENSES.....	1,682	294	226	2	53	1,388	1,219	58	111	1	1	632	457	214	78	3	3			
MAJOR OFFENSES, TOTAL.....	1,334	182	140	1	39	1,152	1,022	35	95	1	1	628	369	139	13	2				
MURDER.....	13	2	-	-	1	11	3	-	8	1	1	10	-	-	-	-	-	-	-	-
MANKLAUGHTER.....	49	14	2	-	11	35	30	-	5	-	-	9	10	15	1	-	-	-	-	-
ROBBERY.....	76	15	10	-	5	61	49	-	12	-	-	55	4	2	2	-	-	-	-	-
AGGRAVATED ASSAULT.....	36	4	3	-	1	32	30	-	2	-	-	21	7	3	1	-	-	-	-	-
BURGLARY.....	257	21	19	-	2	236	210	6	20	-	-	159	70	5	2	-	-	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	366	59	48	-	11	307	266	19	22	-	-	113	128	60	6	-	-	-	-	-
AUTO THEFT.....	169	15	11	-	4	154	142	8	4	-	-	68	81	3	1	1	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	22	5	5	-	-	23	20	-	3	-	-	11	6	2	-	-	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	119	7	7	-	-	112	109	-	3	-	-	82	26	4	-	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	31	7	6	-	1	24	20	-	4	-	-	20	4	-	-	-	-	-	-	-
RAPE.....	6	2	2	-	-	4	3	-	1	-	-	1	3	-	-	-	-	-	-	-
COMMERCIALIZED VICE.....	137	16	14	-	2	121	110	2	9	-	-	66	16	36	2	1	-	-	-	-
OTHER SEX OFFENSES.....	2	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-
VIOLATING DRUG LAWS.....	4	3	2	-	1	1	1	-	-	-	-	-	-	1	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	19	6	5	-	-	13	12	-	1	-	-	7	3	3	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	6	-	-	-	-	6	6	-	-	-	-	3	2	1	-	-	-	-	-	-
ARSON.....	5	2	-	-	-	3	3	-	-	-	-	1	1	-	-	-	-	-	-	-
BIGAMY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLAINDMAIL AND EXTORTION.....	3	1	1	-	-	2	2	-	-	-	-	2	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	4	3	2	-	-	1	-	-	1	-	-	1	-	-	-	-	-	-	-	-
MINOR OFFENSES ¹	348	112	86	1	14	236	197	23	16	-	-	4	88	75	65	1	1	3		

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

NEW JERSEY, 1941

The Bureau of the Census received from clerks of court in New Jersey reports on 5,291 defendants charged with major offenses who were disposed of in the trial courts in 20 of the 21 counties during the calendar year 1941. Of these 5,291 defendants, 4,117, or about 8 out of every 10, were convicted and sentenced; of these, 1,488, or about 4 out of every 10, were sentenced to a State institution; 1,399, or about 3 out of every 10, were placed on probation or given a suspended sentence; and 796, or about 2 out of every 10, were sentenced to a local institution. Of the 57 defendants charged with murder, 41 were convicted; of these, 3 received the death penalty and 38 were sentenced to a State institution. Of the 3,250 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 2,666, or 8 out of every 10, were convicted. Of the 1,054 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 678, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has fluctuated from year to year, but the greatest changes were an increase from 142.1 in 1939 to 177.3 in 1940, and a decrease to 134.2 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 113.8 in 1939 to 135.0 in 1940, and decreasing to 104.4 in 1941. In each of the 5 years, more defendants were convicted of burglary than were convicted of any other offense; convictions for larceny ranked second in number. The rate for defendants convicted of burglary increased from 28.9 in 1939 to 36.7 in 1940, and then decreased to 22.2 in 1941. (See table 1.)

During the past 5 years, 8 out of every 10 defendants charged with major crimes were convicted. In 1938, 80.2 percent of the defendants were convicted; in 1940, 76.1 percent; and in 1941, 77.8 percent. In 1941, 66.9 percent of all defendants pleaded guilty, whereas only 7.6 were found guilty by court and 3.3 by jury. (See table 2.)

More than one-third of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 33.1 in 1939 to 36.1 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 37.3 in 1937 to 36.3 in 1939, increasing to 38.0 in 1940, and decreasing to 34.0 in 1941. The proportion of defendants sentenced to local jails and workhouses decreased from 21.9 in 1937 to 19.3 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW JERSEY, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	5,291	7,250	5,870	6,104	5,260	134.2	177.3	142.1	148.8	141.6
MURDER.....	57	51	34	43	40	1.4	1.2	0.8	1.0	1.1
MANSLAUGHTER.....	101	103	70	110	142	2.6	2.5	1.7	2.7	3.8
ROBBERY.....	354	400	397	504	332	9.0	9.8	9.6	12.3	8.9
AGGRAVATED ASSAULT.....	654	743	661	674	606	16.6	18.2	16.0	16.4	16.3
BURGLARY.....	963	1,666	1,298	1,361	1,088	24.4	40.7	31.4	33.2	29.3
LARCENY, EXCEPT AUTO THEFT.....	831	1,193	1,054	1,046	949	21.1	29.2	25.5	25.5	25.5
AUTO THEFT.....	343	398	226	262	258	8.7	9.7	5.5	6.4	6.9
EMBEZZLEMENT AND FRAUD.....	408	956	674	506	375	10.3	23.4	16.3	12.3	10.1
STOLEN PROPERTY, RECEIVING, ETC....	179	152	168	205	168	4.5	3.7	4.1	5.0	4.5
FORGERY AND COUNTERFEITING.....	172	127	111	167	189	4.4	3.1	2.7	4.1	5.1
RAPE.....	242	220	201	182	138	6.1	5.4	4.9	4.4	3.7
OTHER MAJOR OFFENSES.....	987	1,241	976	1,044	975	25.0	30.3	23.6	25.4	26.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	4,117	5,519	4,700	4,896	4,192	104.4	135.0	113.8	119.3	112.8
MURDER.....	41	35	23	37	32	1.0	0.9	0.6	0.9	0.9
MANSLAUGHTER.....	43	40	36	55	71	1.1	1.0	0.9	1.3	1.9
ROBBERY.....	270	329	322	394	276	6.8	8.0	7.8	9.6	7.4
AGGRAVATED ASSAULT.....	415	457	454	471	379	10.5	11.2	11.0	11.5	10.2
BURGLARY.....	874	1,502	1,192	1,224	1,002	22.2	36.7	28.9	29.8	27.0
LARCENY, EXCEPT AUTO THEFT.....	673	989	908	913	820	17.1	24.2	22.0	22.3	22.1
AUTO THEFT.....	319	308	199	237	242	8.1	7.5	4.8	5.8	6.5
EMBEZZLEMENT AND FRAUD.....	286	580	438	382	246	7.3	14.2	10.6	9.3	6.6
STOLEN PROPERTY, RECEIVING, ETC....	125	102	119	141	111	3.2	2.5	2.9	3.4	3.0
FORGERY AND COUNTERFEITING.....	119	101	95	125	148	3.0	2.5	2.3	3.0	4.0
RAPE.....	179	158	150	120	98	4.5	3.9	3.6	2.9	2.6
OTHER MAJOR OFFENSES.....	773	918	764	797	767	19.6	22.4	18.5	19.4	20.6

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 90.8 PERCENT OF THE POPULATION OF THE STATE IN 1937; 100.0 PERCENT IN 1938 AND 1939; 98.3 PERCENT IN 1940; AND 94.8 PERCENT IN 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-39 ON ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	5,291	100.0	72,50	100.0	58,70	100.0	61,04	100.0	52,50	100.0
ELIMINATED WITHOUT CONVICTION.....	1174	22.2	1731	23.9	1170	19.9	1208	19.8	1068	20.3
DISMISSED.....	734	14.0	1132	15.6	702	12.0	681	11.2	584	11.1
ACQUITTED BY COURT (JURY WAIVED).....	241	4.6	302	4.2	254	4.3	292	4.8	218	4.1
ACQUITTED BY JURY.....	166	3.1	185	2.6	188	3.2	201	3.3	229	4.4
OTHER NON-PENALTY DISPOSITION.....	28	0.5	112	1.5	26	0.4	34	0.6	37	0.7
CONVICTED.....	4117	77.8	5519	76.1	4700	80.1	4896	80.2	4192	79.7
PLEA OF GUILTY.....	3542	66.9	4648	64.1	4103	69.9	4207	68.9	3628	69.0
COURT FINDS GUILTY (JURY WAIVED).....	401	7.6	593	8.2	374	6.4	386	6.3	310	5.9
JURY VERDICT GUILTY.....	174	3.3	278	3.8	223	3.8	303	5.0	254	4.8

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	4117	100.0	5519	100.0	4700	100.0	4896	100.0	4192	100.0
DEATH PENALTY.....	3	0.1	-	0	2	0.0	-	0	4	0.1
STATE PRISONS OR REFORMATORIES.....	1488	36.1	1960	35.5	1555	33.1	1698	34.7	1425	34.0
PROBATION OR SUSPENDED SENTENCE.....	1399	34.0	2098	38.0	1704	36.3	1797	36.7	1563	37.3
LOCAL JAILS, WORKHOUSES, ETC.....	796	19.3	1053	19.1	944	20.1	1044	21.3	920	21.9
FINE OR COSTS ONLY.....	408	9.9	341	6.2	402	8.6	308	6.3	190	4.5
INSTITUTIONS FOR JUVENILES.....	11	0.3	51	0.9	80	1.7	33	0.7	75	1.8
OTHER SENTENCE.....	12	0.3	16	0.3	13	0.3	16	0.3	15	0.4

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT							
	TOTAL DEFENDANTS DISPOSED OF		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE	
	TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY									
ALL OFFENSES.....	7,944	1,985	1,353	362	211	59	5,959	4,963	761	235	3	1,611	2,132	1,131	1,035	29	18	
MAJOR OFFENSES, TOTAL.....	5,291	1,174	739	241	166	28	4,117	3,542	401	174	3	1,488	1,399	796	408	11	12	
MURDER.....	57	16	4	-	11	1	41	28	1	12	3	38	-	-	-	-	-	
MANSLAUGHTER.....	101	58	37	3	18	-	43	33	2	8	-	18	9	7	9	-	-	
ROBBERY.....	354	84	50	19	13	2	270	224	20	26	-	177	38	50	4	-	-	
AGGRAVATED ASSAULT.....	654	239	112	81	36	10	415	305	75	35	-	98	117	128	72	3	-	
BURGLARY.....	963	89	64	14	9	2	874	780	74	20	-	386	292	134	57	2	-	
LARCENY, EXCEPT AUTO THEFT.....	831	158	113	29	11	5	673	626	39	8	-	205	243	132	87	4	-	
AUTO THEFT.....	343	24	12	9	3	-	319	293	23	5	-	140	108	52	17	1	-	
EMBEZZLEMENT AND FRAUD.....	408	122	105	13	3	1	286	262	19	5	-	36	161	58	31	-	-	
STOLEN PROPERTY, RECEIVING, ETC.....	179	54	37	5	7	-	125	115	6	4	-	19	77	19	10	-	-	
FORGERY AND COUNTERFEITING.....	172	53	47	10	7	-	119	113	3	3	-	30	46	29	13	-	-	
RAPE.....	242	63	36	5	19	3	179	132	24	23	-	92	55	25	6	-	-	
COMMERCIALIZED VICE.....	166	32	22	7	2	1	134	113	16	5	-	49	49	25	10	1	-	
OTHER SEX OFFENSES.....	539	132	67	37	26	2	407	316	73	18	-	130	132	75	65	2	-	
VIOLATING DRUG LAWS.....	21	2	1	1	1	-	19	18	-	1	-	5	6	5	2	1	-	
CARRYING, ETC., WEAPONS.....	167	27	16	7	4	-	140	115	25	3	-	34	51	36	19	-	-	
OTHER MAJOR OFFENSES.....	94	21	16	2	2	1	73	69	1	3	-	31	15	21	6	-	-	
ABORTION.....	7	2	1	1	1	1	5	3	1	2	-	4	-	6	1	-	-	
ARSON.....	23	10	7	1	1	1	13	13	3	2	-	1	6	3	2	-	-	
BIGAMY.....	11	3	2	1	-	-	8	7	1	-	-	1	3	3	-	-	-	
BLACKMAIL AND EXTORTION.....	4	1	1	-	-	-	3	3	3	1	-	2	1	6	2	-	-	
ESCAPE AND JAIL BREAK.....	38	4	4	-	-	-	34	33	1	1	-	23	3	6	2	-	-	
KIDNAPING.....	1	-	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-	
PERJURY.....	10	1	1	-	-	-	9	9	-	-	-	-	2	6	1	-	-	
MINOR OFFENSES ¹	2,653	811	614	121	45	31	1,842	1,421	360	61	-	123	733	335	627	18	6	

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0; IF THE FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

JUDICIAL CRIMINAL STATISTICS

WISCONSIN, 1941

The Bureau of the Census received from clerks of court in Wisconsin reports on 2,710 defendants charged with major offenses who were disposed of in the reporting trial courts during the calendar year 1941. Of these 2,710 defendants, 2,232, or about 8 out of every 10, were convicted and sentenced; of these, 899, or about 4 out of 10, were sentenced to a State prison or reformatory; 911, or about 4 out of 10, were placed on probation or given a suspended sentence, and 246, or about 1 out of 10, were sentenced to local jails or workhouses. Of the 18 defendants charged with murder, 14 were convicted and sentenced to a State penal institution. Of the 1,827 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 1,519, or about 8 out of every 10, were convicted. Of the 378 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 303, or about 8 out of every 10, were convicted. (See table 3.)

During the past 5 years, approximately 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has decreased from 86.2 percent in 1938 to 82.4 percent in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.7 percent of all defendants pleaded guilty; only 10.1 percent were found guilty by court and 2.5 percent by jury. (See table 1.)

Approximately two-fifths of the defendants sentenced during the last 5 years were placed on probation or given suspended sentence. The percent so sentenced has remained about the same from year to year. In contrast, however, the proportion of defendants sentenced to imprisonment in a State institution has increased from 28.6 in 1937 to 40.3 in 1941. The trend in sentences to local jails and workhouses has been downward, the percent having decreased from 19.6 in 1937 to 11.0 in 1941. (See table 2.)

Under Wisconsin law, county, municipal, and superior courts in some counties have

varying degrees of criminal jurisdiction concurrent with the circuit court. Not all courts which exercise original felony jurisdiction in these counties have submitted a report on criminal dispositions during the past 5 years. Although reports on criminal dispositions were received from 67 of the 71 counties in 1941, all courts reported in only 42 counties, containing 39.8 percent of the population; one or more courts reported in 25 counties, containing 57.5 percent of the population. Reports were received from 67 counties in 1940; all courts reported in 28 counties, containing 26.0 percent of the population, and one or more courts reported in 39 counties, containing 70.4 percent. In 1939, of the 62 counties reporting, all courts reported in 29 counties, containing 29.4 percent of the population, and 1 or more courts reported in 33 counties, containing 63.6 percent. In 1938, with 63 counties reporting, all courts reported in 28 counties, containing 28.5 percent of the population, and one or more courts reported in 35 counties, containing 66.6 percent. In 1937, 70 counties reported; all courts reported in 27 counties, containing 27.0 percent of the population, and 1 or more courts reported in 43 counties containing 72.8 percent.¹ A comparison of Wisconsin judicial dispositions during the 5-year period must be made, therefore, with reservations.

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted. Table 1 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 2 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 3, by offense.

¹Percentages are based on the enumerated population, 1940 census.

TABLE 1.—PROCEDURAL OUTCOMES FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	2710	100.0	3192	100.0	3225	100.0	3430	100.0	3024	100.0
ELIMINATED WITHOUT CONVICTION.....	478	17.6	528	16.5	506	15.7	472	13.8	476	15.7
DISMISSED.....	350	12.8	409	12.8	388	12.0	335	9.8	332	11.0
ACQUITTED BY COURT (JURY WAIVED).....	18	0.7	18	0.6	47	1.5	71	2.1	41	1.4
ACQUITTED BY JURY.....	32	1.2	16	0.5	27	0.8	34	1.0	39	1.3
OTHER NO-PENALTY DISPOSITION.....	98	3.6	85	2.7	44	1.4	32	0.9	64	2.1
CONVICTED.....	2232	82.4	2664	83.5	2719	84.3	2958	86.2	2548	84.3
PLEA OF GUILTY.....	1890	69.7	2378	74.5	2373	73.6	2585	75.4	2275	75.2
COURT FINDS GUILTY (JURY WAIVED).....	274	10.1	217	6.8	277	8.6	290	8.5	190	6.3
JURY VERDICT GUILTY.....	68	2.5	69	2.2	69	2.1	83	2.4	83	2.7

TABLE 2.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	2232	100.0	2664	100.0	2719	100.0	2958	100.0	2548	100.0
DEATH PENALTY.....	...	...	...	...	...	...	...	...	...	...
STATE PRISONS OR REFORMATORIES.....	899	40.3	917	34.4	830	30.5	899	30.4	730	28.6
PROBATION OR SUSPENDED SENTENCE.....	911	40.8	1052	39.5	1154	42.4	1158	39.1	1053	41.3
LOCAL JAILS, WORKHOUSES, ETC.....	246	11.0	364	13.7	431	15.9	561	19.0	500	19.6
FINE OR COSTS ONLY.....	140	6.3	283	10.6	264	9.7	315	10.6	235	9.2
INSTITUTIONS FOR JUVENILES.....	25	1.1	36	1.4	36	1.3	25	0.8	30	1.2
OTHER SENTENCE.....	11	0.5	12	0.5	4	0.1	-	0	-	0

TABLE 3.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT							
	TOTAL DEFENDANTS DISPOSED OF.....	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	7,664	1,028	714	55	53	206	6,636	5,961	575	100	...	...	1,009	2,018	711	2,796	31	71
MAJOR OFFENSES, TOTAL.....	2,710	478	330	18	32	98	2,232	1,890	274	68	...	...	899	911	246	140	25	11
MURDER.....	18	4	2	-	-	2	14	4	2	8	...	...	14	-	-	-	-	-
MANSLAUGHTER.....	50	13	4	3	4	2	37	27	3	7	...	...	17	4	12	4	-	-
ROBBERY.....	101	16	15	1	-	3	85	76	6	3	...	...	65	7	5	8	-	-
AGGRAVATED ASSAULT.....	124	14	9	1	-	3	110	71	28	11	...	...	53	30	22	5	-	-
BURGLARY.....	350	33	21	1	1	10	317	274	38	5	...	...	159	142	9	-	7	-
LARCENY, EXCEPT AUTO THEFT.....	547	73	53	3	3	14	474	406	64	4	...	...	114	238	64	54	3	1
AUTO THEFT.....	244	35	24	4	-	7	209	184	22	3	...	...	85	94	22	3	5	-
EMBEZZLEMENT AND FRAUD.....	245	72	56	3	1	12	173	160	10	3	...	...	42	80	25	26	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	21	2	1	-	1	-	19	15	2	2	...	...	-	13	1	5	-	-
FORGERY AND COUNTERFEITING.....	319	77	62	-	1	14	242	224	17	1	...	...	126	104	8	4	-	-
RAPE.....	186	44	31	2	8	3	142	122	15	5	...	...	74	59	3	6	-	-
COMMERCIALIZED VICE.....	27	13	1	-	3	9	14	11	3	-	...	...	4	-	3	7	-	-
OTHER SEX OFFENSES.....	368	66	43	-	4	19	302	236	54	12	...	...	105	107	60	19	2	9
VIOLATING DRUG LAWS.....	3	-	-	-	-	-	3	2	1	-	...	...	1	1	-	1	1	1
CARRYING, ETC., WEAPONS.....	27	1	1	-	-	-	26	24	2	-	...	...	7	8	5	6	-	-
OTHER MAJOR OFFENSES.....	80	15	7	-	5	3	65	54	7	4	...	...	33	25	7	-	-	-
ABORTION.....	1	1	-	-	1	-	-	-	-	2	...	...	8	7	1	-	-	-
ARSON.....	19	3	2	-	1	-	16	13	1	2	...	...	2	1	-	-	-	-
BIGAMY.....	2	-	-	-	-	-	2	2	-	-	...	...	2	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	3	2	1	-	-	1	1	-	1	-	...	...	20	1	-	-	-	-
ESCAPE AND JAIL BREAK.....	32	4	2	-	-	2	28	27	1	-	...	...	1	4	4	-	-	-
KIDNAPING.....	3	1	1	-	-	-	2	2	-	-	...	...	1	1	-	-	-	-
PERJURY.....	20	4	1	-	3	-	16	10	4	2	...	...	2	12	2	-	-	-
MINOR OFFENSES ¹	4,954	550	384	37	21	108	4,404	4,071	301	32	...	...	110	1,107	465	2,656	6	60

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN

JUDICIAL CRIMINAL STATISTICS

PENNSYLVANIA, 1941

The Bureau of the Census received from the Department of Welfare in Pennsylvania, reports on 14,411 defendants charged with major offenses who were disposed of in trial courts in 63 of the 67 counties during the calendar year 1941. Of these 14,411 defendants, 10,064, or about 7 out of 10, were convicted and sentenced; of these, 2,620, or about 3 out of 10, were placed on probation or given a suspended sentence; 1,809, or about 2 out of 10, were sentenced to a State institution; and 4,262, or about 4 out of 10, were sentenced to local jails or workhouses. Of the 106 defendants charged with murder, 54 were convicted; 3 received the death penalty, 51 were sentenced to a State institution, and 10 were sentenced to local institutions. Of the 8,358 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 6,390, or about 8 out of every 10, were convicted. Of the 2,982 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 1,472, or about 5 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 249.1 in 1938 to 149.0 in 1941. The rate for defendants convicted of major offenses decreased from 185.6 in 1938 to 104.0 in 1941. During the years 1937 to 1940 more defendants were convicted of larceny than were convicted of any other offense, but in 1941 more defendants were convicted of burglary. The rate for defendants convicted of larceny decreased from 48.8 in 1938 to 19.2 in 1941, while the rate for defendants convicted of burglary decreased from 27.9 in 1938 to 21.0 in 1941. (See table 1.)

During the past 5 years, about 7 out of every 10

defendants charged with major offenses were convicted. The percentage of defendants convicted has decreased from 74.5 in 1938 to 69.8 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 52.5 percent of all defendants pleaded guilty; only 12.9 were found guilty by jury and 4.5 percent by court. (See table 2.)

Slightly more than one-fourth of the defendants sentenced during the last 5 years were placed on probation or given a suspended sentence. The percent so sentenced decreased from 30.8 in 1938 to 26.6 in 1939, and to 26.0 in 1941. The proportion of defendants sentenced to imprisonment in a State institution had decreased from 14.4 percent in 1937 to 13.1 in 1940, increasing to 18.0 percent in 1941. Sentences to local jails and workhouses have decreased from 44.8 percent in 1937 to 42.3 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN PENNSYLVANIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	14,411	17,278	19,937	24,548	22,603	149.0	174.9	202.6	249.1	232.1
MURDER.....	106	169	180	197	213	1.1	1.7	1.8	2.0	2.2
MANSLAUGHTER.....	379	391	375	403	489	3.9	4.0	3.8	4.1	5.0
ROBBERY.....	861	1,076	958	2,660	1,695	8.9	10.9	9.7	27.0	17.4
AGGRAVATED ASSAULT.....	1,988	2,093	2,635	2,651	3,015	20.6	21.2	26.8	26.9	31.0
BURGLARY.....	2,349	2,973	3,058	3,105	2,936	24.3	30.1	31.1	31.5	30.2
LARCENY, EXCEPT AUTO THEFT.....	2,474	3,449	4,747	6,025	5,739	25.6	34.9	48.2	61.1	58.9
AUTO THEFT.....	572	610	874	1,015	915	5.9	6.2	8.9	10.3	9.4
EMBEZZLEMENT AND FRAUD.....	1,273	1,470	1,878	1,995	1,795	13.2	14.9	19.1	20.2	18.4
STOLEN PROPERTY, RECEIVING, ETC....	433	540	520	379	502	4.5	5.5	5.3	3.8	5.2
FORGERY AND COUNTERFEITING.....	394	522	615	776	634	4.1	5.3	6.2	7.9	6.5
RAPE.....	509	544	578	804	697	5.3	5.5	5.9	8.2	7.2
OTHER MAJOR OFFENSES.....	3,073	3,441	3,519	4,538	---	31.8	34.8	35.8	46.0	---
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	10,064	12,328	14,158	18,293	15,904	104.0	124.8	143.9	185.6	163.3
MURDER.....	64	106	111	105	131	0.7	1.1	1.1	1.1	1.3
MANSLAUGHTER.....	121	156	136	175	177	1.3	1.6	1.4	1.8	1.8
ROBBERY.....	664	805	771	2,274	1,399	6.9	8.1	7.8	23.1	14.4
AGGRAVATED ASSAULT.....	993	1,141	1,086	1,407	1,559	10.3	11.5	13.1	14.3	16.0
BURGLARY.....	2,026	2,551	2,636	2,746	2,520	21.0	25.8	26.8	27.9	25.9
LARCENY, EXCEPT AUTO THEFT.....	1,855	2,660	3,683	4,813	4,458	19.2	26.9	37.4	48.8	45.8
AUTO THEFT.....	487	489	733	776	707	5.0	4.9	7.4	7.9	7.3
EMBEZZLEMENT AND FRAUD.....	769	899	1,199	1,299	991	8.0	9.1	12.2	13.2	10.2
STOLEN PROPERTY, RECEIVING, ETC....	246	313	296	247	330	2.5	3.2	3.0	2.5	3.4
FORGERY AND COUNTERFEITING.....	343	412	459	662	500	3.5	4.2	4.7	6.7	5.1
RAPE.....	294	312	369	490	421	3.0	3.2	3.7	5.0	4.3
OTHER MAJOR OFFENSES.....	2,202	2,484	2,479	3,299	---	22.8	25.1	25.2	33.5	---

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100.0 PERCENT OF THE POPULATION IN 1937; 99.6 PERCENT IN 1938; 100.0 PERCENT IN 1939; 99.8 PERCENT IN 1940; AND 97.7 PERCENT IN 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; OR 1937-1939 ON LATEST ESTIMATED POPULATION. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	10064	100.0	12328	100.0	14158	100.0	18293	100.0	15904	100.0
DEATH PENALTY.....	3	0.0	7	0.1	9	0.1	8	0.0	7	0.0
STATE PRISONS OR REFORMATORIES.....	1809	18.0	1612	13.1	1904	13.4	2474	13.5	2292	14.4
PROBATION OR SUSPENDED SENTENCE.....	2820	28.0	3411	27.7	3764	26.6	5631	30.8	4701	29.6
LOCAL JAILS, WORKHOUSES, ETC.....	4262	42.3	5442	44.1	6474	45.7	8170	44.7	7131	44.8
FINE OR COSTS ONLY.....	1015	10.1	1484	12.0	1573	11.1	1664	9.1	1637	10.3
INSTITUTIONS FOR JUVENILES.....	173	1.7	237	1.9	276	1.9	226	1.2	94	0.6
OTHER SENTENCE.....	182	1.8	135	1.1	158	1.1	120	0.7	42	0.3

TABLE 4.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	14,411	100.0	17,278	100.0	19,337	100.0	24,548	100.0	22,603	100.0
ELIMINATED WITHOUT CONVICTION.....	4,347	30.2	4,950	28.6	5,779	29.9	6,255	25.5	6,699	29.6
DISMISSED.....	1,550	10.9	1,773	10.3	2,299	11.5	2,259	9.2	2,684	11.9
ACQUITTED BY COURT (JURY WAIVED).....	410	2.8	637	4.0	770	3.9	409	1.7	145	0.6
ACQUITTED BY JURY.....	1,812	12.6	1,835	10.6	2,151	10.8	3,346	13.6	3,602	15.9
OTHER NON-PENALTY DISPOSITION.....	575	4.0	650	3.8	559	2.8	239	1.0	268	1.2
CONVICTED.....	10,064	69.8	12,328	71.4	14,158	71.0	18,293	74.5	15,904	70.4
PLEA OF GUILTY.....	7,530	52.5	9,463	54.9	10,943	54.9	11,252	45.8	9,799	43.4
COURT FINDS GUILTY (JURY WAIVED).....	649	4.5	1,131	6.5	1,084	5.4	514	2.1	457	2.0
JURY VERDICT GUILTY.....	1,955	12.9	1,734	10.0	2,128	10.7	6,527	26.6	5,643	25.0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE	
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)								JURY VERDICT GUILTY
ALL OFFENSES.....	33,889	9,943	4,198	1,196	3,371	1,178	23,946	16,135	4,683	3,128	3	1,923	6,431	7,364	5,538	305	2,362
MAJOR OFFENSES, TOTAL.....	14,411	4,347	1,550	410	1,812	575	10,064	7,560	649	1,855	3	1,809	2,620	4,262	1,015	173	182
MURDER.....	106	42	4	5	30	3	64	28	10	26	3	51	-	10	-	-	-
MANSLAUGHTER.....	379	258	81	14	105	58	121	65	12	44	-	22	17	79	3	-	-
ROBBERY.....	861	197	55	8	109	25	664	400	14	250	-	323	34	296	8	3	-
AGGRAVATED ASSAULT.....	1,988	995	375	98	427	95	993	532	133	328	-	86	323	509	66	3	6
BURGLARY.....	2,349	323	87	22	176	38	2,026	1,657	79	290	-	583	389	913	69	63	9
LARCENY, EXCEPT AUTO THEFT.....	2,474	619	242	90	221	66	1,855	1,573	133	149	-	202	650	769	159	58	17
AUTO THEFT.....	572	85	21	6	45	13	487	408	29	50	-	113	108	234	7	16	3
EMBEZZLEMENT AND FRAUD.....	1,273	504	252	40	160	52	769	627	40	102	-	627	315	320	82	8	3
STOLEN PROPERTY, RECEIVING, ETC.....	433	187	53	16	74	44	246	173	14	59	-	27	87	113	18	1	1
FORGERY AND COUNTERFEITING.....	394	51	25	4	7	15	343	319	17	17	-	44	83	180	31	4	4
RAPE.....	509	215	59	11	114	31	294	190	17	87	-	83	41	142	15	2	11
COMMERCIALIZED VICE.....	517	122	14	29	57	22	395	282	30	83	-	32	90	122	150	1	1
OTHER SEX OFFENSES.....	1,757	556	222	37	214	83	1,201	857	80	264	-	110	297	318	347	13	116
VIOLATING DRUG LAWS.....	81	17	2	1	9	5	64	45	6	13	-	18	14	29	2	1	1
CARRYING, ETC., WEAPONS.....	520	126	39	24	46	17	394	282	39	73	-	21	145	182	41	5	5
OTHER MAJOR OFFENSES.....	198	50	19	5	18	8	148	122	6	20	-	53	27	46	17	3	2
ABORTION.....	26	13	3	-	6	4	13	8	-	5	-	2	4	6	1	-	-
ARSON.....	70	15	5	-	9	1	55	46	4	5	-	21	9	16	8	1	-
BIGAMY.....	13	2	1	-	1	-	11	10	1	3	-	-	5	6	-	-	-
BLACKMAIL AND EXTORTION.....	13	9	2	4	2	-	5	2	1	3	-	1	2	2	-	-	-
ESCAPE AND JAIL BREAK.....	54	4	3	1	-	2	50	49	1	-	-	29	3	14	-	2	-
KIDNAPING.....	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	20	6	5	-	-	1	14	7	-	7	-	-	4	2	8	-	-
MINOR OFFENSES ¹	19,478	5,596	2,648	786	1,559	603	13,882	8,575	4,034	1,273	-	114	3,811	3,102	4,523	132	2,200

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN

JUDICIAL CRIMINAL STATISTICS

CALIFORNIA, 1941

January 25, 1945

The Bureau of the Census received from clerks of court in California reports on 6,355 defendants charged with major offenses who were disposed of in the superior courts in 37 of the 58 counties during the calendar year 1941. Of these 6,355 defendants, 3,010, or about 8 out of 10, were convicted and sentenced; of those convicted, 1,816, or about 4 out of 5, were placed on probation or given a suspended sentence; 1,452, or about 3 out of 10, were sentenced to a State institution. Of the 77 defendants charged with murder, 37 were convicted, 5 received the death penalty, and 32 were sentenced to a State institution. Of the 4,524 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 3,714, or about 8 out of every 10, were convicted. Of the 916 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 603, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 128.3 in 1937 to 137.3 in 1938, and from 124.1 in 1940 to 137.3 in 1941. The rate for defendants convicted of major offenses increased from 106.2 in 1937 to 113.6 in 1938, and from 99.4 in 1940 to 113.6 in 1941. In each of the 4 years indicated, more defendants were convicted of burglary than were convicted of any other offense; convictions for forgery and counterfeiting ranked second in number. The rate for defendants convicted of burglary decreased to 20.1 in 1941, the lowest figure for the 4-year period. (See table 1.)

In each of the 4 years for which data are avail-

able, about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted decreased from 82.8 in 1937 to 78.8 in 1941. In 1941, 66.4 percent of all defendants pleaded guilty, 6.6 percent were found guilty by court, and 5.8 were found guilty by jury. (See table 2.)

Slightly less than one-third of all defendants convicted during the 4 years were placed on probation or given a suspended sentence. The percent so sentenced increased from 24.3 in 1938 to 36.2 in 1941. The proportion of defendants sentenced to imprisonment in a State institution for adults decreased from 31.9 in 1938 to 29.0 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year 1941. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941, 1940, 1938, and 1937 are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the 4-year period, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN CALIFORNIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					DEFENDANTS CONVICTED				
	NUMBER					NUMBER				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	6,355	5,873	---	3,586	4,330	128.1	124.1	---	137.3	128.3
MURDER.....	77	89	---	61	93	1.6	1.9	---	2.3	2.8
MANSLAUGHTER.....	199	158	---	71	115	4.0	3.3	---	2.7	3.4
ROBBERY.....	600	625	---	291	290	12.1	13.2	---	11.1	8.6
AGGRAVATED ASSAULT.....	303	317	---	177	277	7.3	6.7	---	6.8	8.2
BURGLARY.....	1,202	1,222	---	706	804	24.2	25.8	---	27.0	23.8
LARCENY, EXCEPT AUTO THEFT.....	573	582	---	288	397	11.6	12.3	---	11.0	11.8
AUTO THEFT.....	764	692	---	268	320	15.4	14.6	---	10.3	9.5
EMBEZZLEMENT AND FRAUD.....	210	331	---	461	319	4.2	7.0	---	17.6	9.5
STOLEN PROPERTY, RECEIVING, ETC.....	178	131	---	63	94	3.6	2.8	---	2.4	2.8
FORGERY AND COUNTERFEITING.....	997	739	---	365	534	20.1	15.6	---	14.0	15.8
PEACE OFFENSES.....	277	229	---	142	177	5.6	4.8	---	5.4	5.2
OTHER MAJOR OFFENSES.....	915	758	---	693	910	18.4	16.0	---	26.5	27.0
MAJOR OFFENSES, TOTAL.....	5,010	4,705	---	2,967	3,585	101.0	99.4	---	113.6	106.2
MURDER.....	37	52	---	47	66	0.7	1.1	---	1.8	2.0
MANSLAUGHTER.....	118	93	---	52	61	2.4	2.0	---	2.0	1.8
ROBBERY.....	387	441	---	216	223	7.8	9.3	---	8.3	6.6
AGGRAVATED ASSAULT.....	259	220	---	127	194	5.2	4.6	---	4.9	5.7
BURGLARY.....	998	1,040	---	620	720	20.1	22.0	---	23.7	21.3
LARCENY, EXCEPT AUTO THEFT.....	460	474	---	243	327	9.3	10.0	---	9.3	9.7
AUTO THEFT.....	645	599	---	237	288	13.0	12.7	---	9.1	8.5
EMBEZZLEMENT AND FRAUD.....	180	287	---	377	273	3.6	6.0	---	14.4	8.1
STOLEN PROPERTY, RECEIVING, ETC.....	129	109	---	48	74	2.6	2.3	---	1.8	2.2
FORGERY AND COUNTERFEITING.....	915	678	---	331	493	18.4	14.3	---	12.7	14.6
PEACE OFFENSES.....	189	141	---	94	122	3.8	3.0	---	3.6	3.6
OTHER MAJOR OFFENSES.....	693	571	---	575	744	14.0	12.1	---	22.0	22.0

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 51.8 PERCENT OF THE POPULATION IN 1937, 39.3 PERCENT IN 1938, 68.5 PERCENT IN 1940, AND 71.8 PERCENT IN 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937 AND 1938 ON ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

PROCEDURAL OUTCOME	1941			1940			1939			1938			1937		
	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE
DEFENDANT DISPOSED OF.....	6,355	100.0	58.3	100.0	---	---	---	---	---	3,586	00.0	43.30	100.0	---	---
ELIMINATE WITHOUT CONVICTION.....	1,345	21.2	1168	19.9	---	---	---	---	---	616	17.3	745	17.3	---	---
DISMISSED.....	744	11.7	594	10.1	---	---	---	---	---	342	9.3	402	9.3	---	---
ACQUITTED BY COURT (JURY WAIVED).....	244	3.8	240	4.1	---	---	---	---	---	96	2.7	70	1.6	---	---
ACQUITTED BY JURY.....	173	2.7	196	3.3	---	---	---	---	---	129	3.6	209	4.8	---	---
OTHER NON-PENALTY DISPOSITION.....	184	2.9	138	2.3	---	---	---	---	---	52	1.5	64	1.5	---	---
CONVICTED.....	5,010	78.8	4705	80.1	---	---	---	---	---	2,967	82.7	3,595	82.8	---	---
PEACE OF GUILTY.....	4,220	66.4	3,985	67.9	---	---	---	---	---	2,451	68.3	3,039	70.2	---	---
COURT FINDS GUILTY (JURY WAIVED).....	419	6.6	330	5.6	---	---	---	---	---	195	5.4	199	4.6	---	---
JURY VERDICT GUILTY.....	371	5.8	390	6.6	---	---	---	---	---	321	9.0	347	8.0	---	---

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1941

PROCEDURAL OUTCOME	1941			1940			1939			1938			1937		
	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE	NUMBER	PERCENT	SENTENCE
DEFENDANT DISPOSED OF.....	6,355	100.0	58.3	100.0	---	---	---	---	---	3,586	00.0	43.30	100.0	---	---
ELIMINATE WITHOUT CONVICTION.....	1,345	21.2	1168	19.9	---	---	---	---	---	616	17.3	745	17.3	---	---
DISMISSED.....	744	11.7	594	10.1	---	---	---	---	---	342	9.3	402	9.3	---	---
ACQUITTED BY COURT (JURY WAIVED).....	244	3.8	240	4.1	---	---	---	---	---	96	2.7	70	1.6	---	---
ACQUITTED BY JURY.....	173	2.7	196	3.3	---	---	---	---	---	129	3.6	209	4.8	---	---
OTHER NON-PENALTY DISPOSITION.....	184	2.9	138	2.3	---	---	---	---	---	52	1.5	64	1.5	---	---
CONVICTED.....	5,010	78.8	4705	80.1	---	---	---	---	---	2,967	82.7	3,595	82.8	---	---
PEACE OF GUILTY.....	4,220	66.4	3,985	67.9	---	---	---	---	---	2,451	68.3	3,039	70.2	---	---
COURT FINDS GUILTY (JURY WAIVED).....	419	6.6	330	5.6	---	---	---	---	---	195	5.4	199	4.6	---	---
JURY VERDICT GUILTY.....	371	5.8	390	6.6	---	---	---	---	---	321	9.0	347	8.0	---	---

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISONS OR REFORMATORIES					FINE OR COSTS ONLY				
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK-HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES.....	8,091	1,719	912	380	211	6,372	5,307	628	437	5	1,491	2,673	1,902	137	115	---	2967	100.0	3585	100.0
MAJOR OFFENSES, TOTAL.....	6,355	1,345	744	244	173	5,010	4,220	419	371	5	1,452	1,816	1,519	56	115	---	2967	100.0	3585	100.0
MURDER.....	77	40	12	8	13	37	18	6	13	5	32	61	13	5	---	---	7	0.2	13	0.4
MANSLAUGHTER.....	199	81	31	25	23	118	60	19	39	---	38	89	24	---	---	---	947	31.9	1079	30.1
ROBBERY.....	600	213	126	36	30	387	294	38	55	---	242	42	140	13	---	---	722	24.3	1008	28.1
AGGRAVATED ASSAULT.....	363	104	60	18	19	259	169	50	40	---	308	376	272	---	---	---	1206	40.6	1370	38.2
BURGLARY.....	1,202	204	115	29	20	998	876	75	47	---	98	162	185	9	---	---	21	0.7	24	0.7
LARCENY, EXCEPT AUTO THEFT.....	573	113	71	24	8	460	379	50	31	---	108	289	205	1	---	---	64	2.2	91	2.5
AUTO THEFT.....	764	119	60	21	9	645	573	50	22	---	36	90	53	---	---	---	---	---	---	---
AUTO THEFT, EXCEPT AUTO THEFT.....	210	30	15	4	4	180	169	6	5	---	28	56	42	---	---	---	---	---	---	---
EMBEZZLEMENT AND FRAUD.....	178	49	32	9	5	129	92	16	21	---	259	387	252	2	---	---	---	---	---	---
STOLEN PROPERTY, RECEIVING ETC.....	997	82	63	3	5	915	877	20	18	---	28	95	60	---	---	---	---	---	---	---
FORGERY AND COUNTERFEITING.....	277	88	43	14	11	189	161	12	16	---	1	3	1	---	---	---	---	---	---	---
RAPE.....	13	8	8	---	---	5	4	1	---	---	86	105	81	4	---	---	---	---	---	---
COMMERCIALIZED VICE.....	355	102	41	23	15	283	213	36	34	---	41	12	114	1	---	---	---	---	---	---
OTHER SEX OFFENSES.....	202	33	11	11	6	169	132	21	16	---	13	6	65	3	---	---	---	---	---	---
VIOLATING DRUG LAWS.....	108	20	11	8	1	88	78	8	2	---	73	43	12	17	---	---	---	---	---	---
CARRYING, ETC., WEAPONS.....	207	59	39	11	4	148	125	11	12	---	3	3	3	---	---	---	---	---	---	---
ABORTION.....	27	21	21	1	---	6	5	---	1	---	1	1	1	---	---	---	---	---	---	---
ARSON.....	29	10	5	1	2	19	12	2	5	---	7	8	3	---	---	---	---	---	---	---
BIGAMY.....	10	3	3	---	---	7	6	---	1	---	1	1	1	---	---	---	---	---	---	---
BLACKMAIL AND EXTORTION.....	4	2	1	---	---	2	1	---	1	---	53	17	9	---	---	---	---	---	---	---
ESCAPE AND JAIL BREAK.....	106	9	4	3	1	97	89	5	1	---	6	1	---	---	---	---	---	---	---	---
KIDNAPING.....	12	5	3	1	1	7	5	1	1	---	2	8	---	---	---	---	---	---	---	---
PERJURY.....	19	9	2	6	---	10	7	1	2	---	2	---	---	---	---	---	---	---	---	---
MINOR OFFENSES.....	1,736	374	168	136	43	1,362	1,087	209	66	---	39	857	383	81	---	---	---	---	---	---

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: NOT AVAILABLE. --- QUANTITY ZERO IN NUMBER AND PERCENT.

JUDICIAL CRIMINAL STATISTICS

OREGON, 1941

The Bureau of the Census received from clerks of court in Oregon reports on 1,048 defendants charged with major offenses who were disposed of in the circuit courts of 35 of the 36 counties during the calendar year 1941. Of these 1,048 defendants, 857, or about 8 out of 10, were convicted and sentenced; of those convicted, 416, or about 5 out of 10, were sentenced to the State prison; 305, or about 4 out of 10, were placed on probation or given a suspended sentence. Of the 15 defendants charged with murder, 12 were convicted, 2 received the death penalty, and 11 were sentenced to the State prison. Of the 781 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 665, or about 17 out of every 20, were convicted. Of the 166 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 109, or about 13 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a downward trend from 138.8 in 1937 to 96.5 in 1941, although there was a slight increase in 1939 over 1938. The rate for defendants convicted of major offenses decreased from 122.0 in 1937 to 78.9 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense. The rate for defendants convicted of larceny decreased from 30.4 in 1939 to 18.5 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were con-

victed. The percentage of defendants convicted decreased to 81.8 in 1941 after having increased from 83.0 in 1939 to 87.5 in 1940. In 1941, 73.4 percent of all defendants pleaded guilty, 7.0 percent were found guilty by jury, and 1.4 percent by court. (See table 2.)

Slightly less than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 44.7 in 1938 to 51.4 in 1940, but decreased to 48.5 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 38.7 in 1937 to 33.4 in 1940, but increased to 35.6 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN OREGON,
BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,048	1,115	1,136	1,089	832	96.5	102.3	119.5	112.5	138.8
MURDER.....	15	10	4	12	7	1.4	0.9	0.4	1.2	1.2
MANSLAUGHTER.....	35	17	21	17	15	3.2	1.6	2.2	1.8	2.5
ROBBERY.....	25	30	40	50	27	2.3	2.8	4.2	5.2	4.5
AGGRAVATED ASSAULT.....	68	36	52	29	37	6.3	3.3	5.5	3.0	6.2
BURGLARY.....	146	185	187	171	110	13.4	17.0	19.7	17.7	18.4
LARCENY, EXCEPT AUTO THEFT.....	237	263	351	296	259	21.8	24.1	37.0	30.6	43.2
AUTO THEFT.....	75	91	76	84	42	6.9	8.4	8.0	8.7	7.0
EMBEZZLEMENT AND FRAUD.....	132	153	127	137	95	12.2	14.0	13.4	14.1	15.9
STOLEN PROPERTY, RECEIVING, ETC....	23	34	25	45	19	2.1	3.1	2.6	4.6	3.2
FORGERY AND COUNTERFEITING.....	143	161	120	119	111	13.2	14.8	12.6	12.3	18.5
RAPE.....	48	43	35	51	24	4.4	3.9	3.7	5.3	4.0
OTHER MAJOR OFFENSES.....	101	92	98	78	86	9.3	8.4	10.3	8.1	14.3
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	857	976	943	962	731	78.9	89.6	99.2	99.3	122.0
MURDER.....	13	8	2	7	4	1.2	0.7	0.2	0.7	0.7
MANSLAUGHTER.....	11	10	12	11	7	1.0	0.9	1.3	1.1	1.2
ROBBERY.....	23	25	36	44	21	2.1	2.3	3.8	4.5	3.5
AGGRAVATED ASSAULT.....	51	29	38	24	35	4.7	2.7	4.0	2.5	5.8
BURGLARY.....	126	166	166	155	105	11.6	15.2	17.5	16.0	17.5
LARCENY, EXCEPT AUTO THEFT.....	201	237	289	279	218	18.5	21.7	30.4	28.8	36.4
AUTO THEFT.....	61	81	73	79	39	5.6	7.4	7.7	8.2	6.5
EMBEZZLEMENT AND FRAUD.....	105	139	106	115	84	9.7	12.8	11.2	11.9	14.0
STOLEN PROPERTY, RECEIVING, ETC....	20	31	19	39	16	1.8	2.8	2.0	4.0	2.7
FORGERY AND COUNTERFEITING.....	129	146	93	110	106	11.9	13.4	9.8	11.4	17.7
RAPE.....	34	28	29	41	19	3.1	2.6	3.1	4.2	3.2
OTHER MAJOR OFFENSES.....	83	76	80	58	77	7.6	7.0	8.4	6.0	12.8

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 57.3 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 90.9 PERCENT FOR 1938, 88.0 PERCENT FOR 1939, 100.0 PERCENT FOR 1940, AND 99.7 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON THE ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON LATEST ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	857	100.0	976	100.0	943	100.0	962	100.0	731	100.0
DEATH PENALTY.....	2	0.2	2	0.2	-	0	1	0.1	-	0
STATE PRISONS OR REFORMATORIES.....	416	48.5	502	51.4	437	46.3	430	44.7	348	47.6
PROBATION OR SUSPENDED SENTENCE.....	305	35.6	326	33.4	342	36.3	355	36.9	283	38.7
LOCAL JAILS, WORKHOUSES, ETC.....	102	11.9	132	13.5	145	15.4	157	16.3	85	11.6
FINE OR COSTS ONLY.....	25	2.9	12	1.2	8	0.8	14	1.5	13	1.8
INSTITUTIONS FOR JUVENILES.....	5	0.6	2	0.2	9	1.0	5	0.5	2	0.3
OTHER SENTENCE.....	2	0.2	-	0	2	0.2	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,048	100.0	1,115	100.0	1,136	100.0	1,099	100.0	832	100.0
ELIMINATED WITHOUT CONVICTION.....	191	18.2	139	12.5	193	17.0	127	11.7	101	12.1
DISMISSED.....	152	14.7	106	9.5	150	13.2	94	8.6	60	7.2
ACQUITTED BY COURT (JURY WAIVED).....	1	0.1	1	0.1	3	0.3	3	0.3	1	0
ACQUITTED BY JURY.....	29	2.8	25	2.2	32	2.8	27	2.5	35	4.2
OTHER NON-PENALTY DISPOSITION.....	7	0.7	7	0.6	8	0.7	3	0.3	6	0.7
CONVICTED.....	857	81.8	976	87.5	943	83.0	962	88.3	731	87.9
PLEA OF GUILTY.....	769	73.4	904	81.1	891	78.4	891	81.8	683	82.1
COURT FINDS GUILTY (JURY WAIVED).....	15	1.4	7	0.6	7	0.6	4	0.4	5	0.6
JURY VERDICT GUILTY.....	73	7.0	65	5.8	45	4.0	67	6.2	43	5.2

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	TOTAL DEFENDANTS DISPOSED OF WITHOUT CONVICTION	DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED				DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE		
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY								COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY
ALL OFFENSES.....	1,410	341	292	4	37	8	1,069	956	21	92	2	442	380	147	90	6	2
MAJOR OFFENSES, TOTAL.....	1,048	191	154	1	29	7	857	769	15	73	2	416	305	102	25	5	2
MURDER.....	15	2	1	-	1	-	13	3	1	9	2	11	-	-	-	-	-
MANSLAUGHTER.....	35	24	21	-	3	-	11	7	-	4	-	16	5	1	-	-	-
ROBBERY.....	25	2	2	-	-	-	23	21	-	2	-	32	7	-	-	-	-
AGGRAVATED ASSAULT.....	68	17	6	-	10	1	51	41	2	8	-	58	6	9	4	-	-
BURGLARY.....	146	20	14	1	5	-	126	123	-	3	-	83	55	12	-	1	-
LARCENY, EXCEPT AUTO THEFT.....	237	36	34	-	2	-	201	184	3	14	-	83	29	4	-	1	-
AUTO THEFT.....	75	14	11	-	2	1	61	57	1	3	-	18	13	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	132	27	21	-	2	4	105	98	2	5	-	50	39	12	3	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	23	3	3	-	-	-	20	17	-	3	-	8	6	6	-	-	-
FORGERY AND COUNTERFEITING.....	143	14	13	-	1	-	129	121	1	7	-	71	47	3	-	3	-
RAPE.....	48	14	12	-	2	-	34	24	-	10	-	26	5	6	-	-	-
COMMERCIALIZED VICE.....	2	1	1	-	-	1	1	1	5	3	-	1	1	-	-	-	-
OTHER SEX OFFENSES.....	71	12	11	-	-	1	59	51	-	3	-	20	18	10	11	-	-
VIOLATING DRUG LAWS.....	2	-	-	-	-	-	2	2	-	-	-	1	1	1	-	-	-
CARRYING, ETC., WEAPONS.....	2	-	-	-	-	-	2	2	-	-	-	5	13	-	1	-	-
OTHER MAJOR OFFENSES.....	24	5	4	-	1	-	19	17	-	2	-	3	9	-	-	-	-
ABORTION.....	15	3	3	-	-	-	12	11	-	1	-	3	2	-	1	-	-
ARSON.....	3	-	-	-	-	-	3	3	-	-	-	-	-	-	-	-	-
BIGAMY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	2	1	1	-	-	-	1	1	-	-	-	1	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	4	1	-	-	1	-	3	2	-	1	-	1	2	-	-	-	-
MINOR OFFENSES ¹	362	150	138	3	8	1	212	187	6	19	-	26	75	45	65	1	-

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

VERMONT: 1941

The Bureau of the Census received from clerks of court in Vermont, reports on 533 defendants charged with major offenses, who were disposed of in the reporting trial courts during the calendar year 1941. Of these 533 defendants, 395, or about 7 out of every 10, were convicted and sentenced; of those convicted, 147, or about 4 out of 10, were sentenced to a State prison or reformatory; and 105, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 389 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 298, or about 8 out of every 10, were convicted. Of the 34 persons charged with major crimes against the person (manslaughter, aggravated assault, and rape), 4, or about 4 out of every 10, were convicted. (See table 3.)

During the past 5 years, approximately 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 77.8 in 1940 to 74.1 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 71.3 percent of all defendants pleaded guilty, 2.1 percent were found guilty by jury, and 0.8 percent were found guilty by court. (See table 1.)

Slightly less than two-fifths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The proportion so sentenced increased from 36.4 in 1937 to 40.9 in 1939, decreased to 35.7 in 1940, and increased to 37.2 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 29.6 in 1939 to 26.6 in 1941. (See table 2.)

Under Vermont law, municipal courts in 11 counties exercise felony jurisdiction concurrent with the county court.

In 1941, although reports on criminal dispositions were received from courts in 13 counties, containing 98.9 percent of the State's population, reports were received from all courts exercising felony jurisdiction in only 10 counties, containing 68.9 percent of the population. In 1940, reports were received from 12 counties, containing 90.7 percent of the population, but from all felony courts in only 7 counties, containing 50.1 percent of the population. In 1939, the 13 counties from which reports were received contained 98.9 percent of the State's population, but the 5 counties from which all felony courts reported contained only 33.5 percent of the population. In 1938, the 12 reporting counties contained 92.7 percent of the population and the 5 from which all felony courts reported contained 27.8 percent. In 1937, all felony courts reported in only 11 counties, containing 85.0 percent of the population, whereas reports were received from 13 counties, containing 99.0 percent of the population.¹ Comparison of judicial criminal dispositions during the 5-year period must, therefore, be made with reservations.

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. Table 1 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 2 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 3, by offense.

¹Percentages are based on the enumerated population, 1940 census.

TABLE 1.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF....	533	100.0	418	100.0	425	100.0	434	100.0	649	100.0
ELIMINATED WITHOUT CONVICTION	138	25.9	93	22.2	97	22.8	96	22.1	144	22.2
DISMISSED.....	79	14.8	71	17.0	79	18.6	86	19.8	117	18.0
ACQUITTED BY COURT(JURY WAIVED)	5	0.9	10	2.4	11	2.6	2	0.5	1	0.2
ACQUITTED BY JURY.....	54	10.1	11	2.6	6	1.4	7	1.6	8	1.2
OTHER NO-PENALTY DISPOSITION.....	395	74.1	325	77.8	328	77.2	338	77.9	505	77.8
CONVICTED.....	380	71.3	314	75.1	311	73.2	317	73.0	486	74.9
PLEA OF GUILTY.....	4	0.8	2	0.5	1	0.2	1	0.2	-	0
COURT FINDS GUILTY(JURY WAIVED)	11	2.1	9	2.2	16	3.8	20	4.6	19	2.9
JURY VERDICT GUILTY.....										

TABLE 2.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	395	100.0	325	100.0	328	100.0	338	100.0	505	100.0
DEATH PENALTY.....	-	0	1	0.3	-	0	-	0	-	0
STATE PRISONS OR REFORMATORIES.....	147	37.2	116	35.7	134	40.9	128	37.9	184	36.4
PROBATION OR SUSPENDED SENTENCE.....	105	26.6	91	28.0	97	29.6	87	25.7	132	26.1
LOCAL JAILS, WORKHOUSES, ETC.....	72	18.2	66	20.3	53	16.2	83	24.6	122	24.2
FINE OR COSTS ONLY.....	50	12.7	37	11.4	30	9.1	34	10.1	59	11.7
INSTITUTIONS FOR JUVENILES.....	20	5.1	14	4.3	13	4.0	6	1.8	8	1.6
OTHER SENTENCE.....	1	0.3	-	0	1	0.3	-	0	-	0

TABLE 3.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: VERMONT, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISONS OR REFORMATORIES					LOCAL JAILS, WORKHOUSES, ETC.				
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE				
ALL OFFENSES.....	4,289	470	301	6	15	3,819	3,737	51	31	-	196	318	674	2,587	33	11				
MAJOR OFFENSES, TOTAL.....	533	138	79	-	5	395	380	4	11	-	147	105	72	50	20	1				
MURDER.....	9	4	3	-	1	5	-	-	5	-	1	-	-	-	-	-				
MANSLAUGHTER.....	6	1	-	-	1	5	4	-	1	-	4	-	-	-	-	-				
ROBBERY.....	3	3	-	-	-	3	-	-	-	-	-	-	-	-	-	-				
AGGRAVATED ASSAULT.....	84	16	5	-	-	68	67	-	1	-	36	17	2	2	11	-				
BURGLARY.....	219	53	29	-	2	166	164	-	2	-	35	41	55	27	7	-				
LARCENY, EXCEPT AUTO THEFT.....	18	7	4	-	-	11	11	-	-	-	8	-	-	1	-	-				
AUTO THEFT.....	37	12	9	-	-	25	25	-	-	-	5	10	3	7	-	-				
EMBEZZLEMENT AND FRAUD.....	2	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-				
STOLEN PROPERTY, RECEIVING, ETC.....	23	1	1	-	-	22	21	1	1	-	11	4	6	1	1	-				
FORGERY AND COUNTERFEITING.....	22	13	9	-	-	9	8	-	-	-	3	2	-	-	-	-				
RAPE.....	6	-	-	-	-	6	5	1	-	-	28	27	1	4	1	-				
COMMERCIALIZED VICE.....	80	19	14	-	-	61	59	-	-	-	-	-	-	-	-	-				
OTHER SEX OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
VIOLATING DRUG LAWS.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-				
CARRYING, ETC., WEAPONS.....	23	7	3	-	2	16	15	-	1	-	10	2	4	-	-	-				
OTHER MAJOR OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
ABORTION.....	8	4	-	-	2	4	3	-	1	-	-	-	-	-	-	-				
ARSON.....	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
BIGAMY.....	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
BLACKMAIL AND EXTORTION.....	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
ESCAPE AND JAIL BREAK.....	12	-	-	-	-	12	12	-	-	-	8	-	4	-	-	-				
KIDNAPING.....	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
PERJURY.....	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
MINOR OFFENSES ¹	3,756	332	222	6	10	3,424	3,357	47	20	-	49	213	602	2,537	13	10				

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

JUDICIAL CRIMINAL STATISTICS

MINNESOTA, 1941

Of the 1,696 defendants charged with major offenses in the district courts of Minnesota, 1,522, or approximately 9 out of 10, were convicted and sentenced. Of those convicted, 683, or about 4 out of 10, were sentenced to State prisons and reformatories, and 661 were placed on probation or given a suspended sentence. Of the 1,313 defendants charged with major offenses against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 1,194, or about 9 out of every 10, were convicted. Of the 231 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 185, or about 8 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a downward trend, from 84.0 in 1938 to 60.7 in 1941. The rate for defendants convicted of major offenses decreased from 73.2 in 1938 to 54.5 in 1941. The rate of conviction was higher for larceny, except auto theft, than for any other offense in each of the 5 years, but decreased from 26.1 in 1938 to 17.8 in 1941. (See table 1.)

During the past 5 years, approximately 9 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 87.2 in 1938 to 90.8 in 1940, but decreased to 89.7 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 84.6 percent of all defendants pleaded guilty, 4.8 percent were found guilty by jury, and

0.4 percent were found guilty by court. (See table 2.)

Slightly less than half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The proportion so sentenced decreased from 45.9 in 1939 to 44.9 in 1941. A slightly smaller proportion of convicted defendants were placed on probation or given a suspended sentence. In 1937 the percentage so treated was 40.1; in 1939, 39.5; in 1941, 43.4. (See table 3.)

The following tables present data on the disposition of persons charged with a criminal offense and brought before a district court, which is the court having original felony jurisdiction in Minnesota. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rates per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense. These tables were prepared from individual reports submitted by the Minnesota Bureau of Criminal Apprehension for each defendant disposed of in a district court.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN MINNESOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,696	1,990	2,069	2,295	1,908	60.7	71.3	74.9	84.0	70.2
MURDER.....	17	14	12	16	19	0.6	0.5	0.4	0.6	0.7
MANSLAUGHTER.....	37	24	28	36	40	1.3	0.9	1.0	1.3	1.5
ROBBERY.....	61	53	127	106	90	2.2	1.9	4.6	3.9	2.9
AGGRAVATED ASSAULT.....	57	76	72	97	85	2.0	2.7	2.6	3.5	3.1
BURGLARY.....	191	278	225	272	256	6.8	10.0	8.1	10.0	9.4
LARCENY, EXCEPT AUTO THEFT.....	539	636	702	772	630	19.3	22.8	25.4	28.2	23.2
AUTO THEFT.....	139	151	170	171	163	5.0	5.4	6.2	6.3	6.0
EMBEZZLEMENT AND FRAUD.....	61	52	71	75	51	2.2	1.9	2.6	2.7	1.9
STOLEN PROPERTY, RECEIVING, ETC....	27	38	37	75	24	1.0	1.4	1.3	2.7	0.9
FORGERY AND COUNTERFEITING.....	295	353	321	374	287	10.6	12.6	11.6	13.7	10.6
RAPE.....	120	91	112	87	92	4.3	3.3	4.1	3.2	3.4
OTHER MAJOR OFFENSES.....	152	224	192	214	181	5.4	8.0	7.0	7.8	6.7
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,522	1,807	1,873	2,001	1,676	54.5	64.7	67.8	73.2	61.6
MURDER.....	12	10	7	11	14	0.4	0.4	0.3	0.4	0.5
MANSLAUGHTER.....	26	16	17	22	27	0.9	0.6	0.6	0.8	1.0
ROBBERY.....	53	50	111	100	75	1.9	1.8	4.0	3.7	2.8
AGGRAVATED ASSAULT.....	42	58	62	60	63	1.5	2.1	2.2	2.2	2.3
BURGLARY.....	172	264	220	254	236	6.2	9.5	8.0	9.3	8.7
LARCENY, EXCEPT AUTO THEFT.....	498	590	639	713	560	17.8	21.1	23.1	26.1	20.6
AUTO THEFT.....	135	143	161	152	160	4.8	5.1	5.8	5.6	5.9
EMBEZZLEMENT AND FRAUD.....	42	36	59	55	34	1.5	1.3	2.1	2.0	1.3
STOLEN PROPERTY, RECEIVING, ETC....	24	35	28	51	20	0.9	1.3	1.0	1.9	0.7
FORGERY AND COUNTERFEITING.....	270	333	303	343	259	9.7	11.9	11.2	12.5	9.5
RAPE.....	105	81	101	63	75	3.8	2.9	3.7	2.3	2.8
OTHER MAJOR OFFENSES.....	143	191	160	177	153	5.1	6.8	5.8	6.5	5.6

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1,522	100.0	1,807	100.0	1,873	100.0	2,001	100.0	1,676	100.0
DEATH PENALTY.....	...	...	...	...	...	...	...	...	...	...
STATE PRISONS OR REFORMATORIES.....	683	44.9	788	43.6	859	45.9	903	45.1	757	45.2
PROBATION OR SUSPENDED SENTENCE.....	661	43.4	719	39.8	740	39.5	788	39.4	672	40.1
LOCAL JAILS, WORKHOUSES, ETC.....	148	9.7	240	13.3	212	11.3	267	13.3	180	10.7
FINE OR COSTS ONLY.....	27	1.8	53	3.0	55	2.9	35	1.7	61	3.6
INSTITUTIONS FOR JUVENILES.....	2	0.1	5	0.3	7	0.4	8	0.4	6	0.4
OTHER SENTENCE.....	1	0.1	1	0.0	0	0.0	0	0.0	0	0.0

TABLE 4.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,696	100.0	1,990	100.0	2,059	100.0	2,295	100.0	1,908	100.0
ELIMINATED WITHOUT CONVICTION.....	174	10.3	183	9.2	196	9.5	294	12.8	232	12.2
DISMISSED.....	125	7.4	130	6.5	152	7.4	231	10.1	161	8.4
ACQUITTED BY COURT (JURY WAIVED).....	1	0.1	3	0.2	0	0.0	2	0.1	1	0.1
ACQUITTED BY JURY.....	43	2.5	43	2.2	56	2.7	43	1.9	55	2.9
OTHER NON-PENALTY DISPOSITION.....	5	0.3	7	0.4	8	0.4	18	0.8	15	0.8
CONVICTED.....	1,522	89.7	1,807	90.8	1,873	90.5	2,001	87.2	1,676	87.8
PLEA OF GUILTY.....	1,434	84.6	1,741	87.5	1,784	86.2	1,903	82.9	1,578	82.7
COURT FINDS GUILTY (JURY WAIVED).....	7	0.4	3	0.2	6	0.3	6	0.3	8	0.4
JURY VERDICT GUILTY.....	81	4.8	63	3.2	83	4.0	92	4.0	90	4.7

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE			
	TOTAL DISPOSED WITHOUT CONVICTION	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY												
ALL OFFENSES.....	2,101	226	167	2	52	5	1,875	1,766	13	96	...	706	848	204	114	2	1			
MAJOR OFFENSES, TOTAL.....	1,696	174	125	1	43	5	1,522	1,434	7	81	...	683	661	148	27	2	1			
MURDER.....	17	5	3	-	1	1	12	9	-	3	...	12	7	6	-	-	-			
MANSLAUGHTER.....	37	11	2	-	9	-	26	15	-	11	...	13	9	-	-	-	-			
ROBBERY.....	61	8	5	-	3	-	53	50	-	3	...	44	19	3	-	-	-			
AGGRAVATED ASSAULT.....	57	15	6	-	8	1	42	35	-	7	...	18	67	17	1	2	-			
BURGLARY.....	191	19	15	-	4	-	172	165	-	7	...	85	245	43	11	-	-			
LARCENY, EXCEPT AUTO THEFT.....	539	41	36	-	5	-	498	484	3	11	...	199	71	9	1	-	-			
AUTO THEFT.....	139	2	4	-	2	-	135	132	1	2	...	54	23	11	2	-	-			
EMBEZZLEMENT AND FRAUD.....	61	19	17	-	2	-	42	40	-	2	...	6	13	4	-	-	-			
STOLEN PROPERTY, RECEIVING, ETC.....	27	3	2	-	1	-	24	21	-	3	...	7	126	35	6	-	-			
FORGERY AND COUNTERFEITING.....	295	25	22	1	2	-	270	268	1	1	...	103	36	10	-	-	1			
RAPE.....	120	15	10	-	4	1	105	87	2	16	...	58	1	-	2	-	-			
COMMERCIALIZED VICE.....	3	-	-	-	-	1	3	3	-	-	...	49	14	8	2	-	-			
OTHER SEX OFFENSES.....	80	7	4	-	2	1	73	67	-	6	...	-	2	1	-	-	-			
VIOLATING DRUG LAWS.....	3	1	-	-	-	1	2	2	-	-	...	-	1	1	-	-	-			
CARRYING, ETC., WEAPONS.....	2	-	-	-	-	-	2	2	-	-	...	35	5	1	-	-	-			
OTHER MAJOR OFFENSES.....	64	1	1	-	-	-	63	54	-	9	...	8	15	-	-	-	-			
ABORTION.....	13	-	-	-	-	-	13	12	-	1	...	11	1	1	-	-	-			
ARSON.....	28	1	1	-	-	-	27	20	-	7	...	5	1	-	-	-	-			
BIGAMY.....	6	-	-	-	-	-	6	6	-	-	...	1	1	-	-	-	-			
BLACKMAIL AND EXTORTION.....	2	-	-	-	-	-	2	2	-	-	...	8	1	-	-	-	-			
ESCAPE AND JAIL BREAK.....	9	-	-	-	-	-	9	9	-	-	...	2	4	-	-	-	-			
KIDNAPING.....	-	-	-	-	-	-	-	-	-	1	...	-	-	-	-	-	-			
PERJURY.....	6	-	-	-	-	-	6	5	-	-	...	23	187	56	87	-	-			
MINOR OFFENSES..... ¹	405	52	42	1	9	-	353	332	6	15	...	23	187	56	87	-	-			

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: CLASS OR ITEM NOT APPLICABLE, ...; QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

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May 7, 1943

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JUDICIAL CRIMINAL STATISTICS

DISTRICT OF COLUMBIA, 1941

Of the 1,645 defendants charged with major offenses and disposed of during 1941 in the District Court of the District of Columbia, 1,144, or approximately 7 out of 10, were convicted and sentenced. Of the 1,144 convicted defendants, 702, or about 6 out of 10, were sentenced to imprisonment in the reformatory, and 292, or a little less than one-half as many, were placed on probation or given a suspended sentence. Thirteen of the 21 defendants charged with murder were convicted and sentenced, as were 26 of the 42 charged with manslaughter. Of the 1,241 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 913, or about 7 out of every 10, were convicted. Of the 341 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 195, or about 6 out of every 10, were convicted and sentenced. (See table 4.)

The rate per 100,000 population for all defendants convicted of major offenses decreased from 212.2 in 1937 to 164.1 in 1940, but increased to 172.5 in 1941. In 1941 the rate of conviction was higher for auto theft than it was for any other offense, but in the 4 previous years the rate had been highest for burglary. The rate of conviction for burglary decreased from 56.6 in 1937 to 39.7 in 1939, increased to 46.6 in 1940, and dropped to 34.1 in 1941. For auto theft, the rate of conviction dropped from 28.9 in 1937 to 17.8 in 1939, but increased to 22.2 in 1940 and 34.8 in 1941. (See table 1.)

During the past 5 years, about 7 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 81.1 in 1940 to 69.5 in 1941; in the 3 previous years, it ranged from 72.5 to 76.0. In each

of the 5 years, the greatest proportion of defendants were convicted on a plea of guilty. In 1941, 54.2 percent of all defendants pleaded guilty, 14.8 percent were convicted by jury, and only 0.5 percent were convicted by court. (See table 2.)

Over one-half of the defendants convicted during the past 5 years were sentenced to imprisonment in the reformatory at Lorton or in a Federal institution. The percentage so treated increased from 54.5 in 1937 to 62.4 in 1940, but dropped to 61.4 in 1941. The percentage of defendants placed on probation decreased from 34.5 in 1937 to 25.6 in 1941. (See table 3.)

The first four tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

A common criticism of court administration is that there are often unnecessary and exceedingly long delays in the disposition of criminal cases. Since individual reports were received on the disposition

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN DISTRICT OF COLUMBIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,645	1,341	1,520	1,788	1,720	248.1	202.2	231.0	280.4	279.1
MURDER.....	21	15	16	26	13	3.2	2.3	2.4	4.1	2.1
MANSLAUGHTER.....	42	21	35	57	28	6.3	3.2	5.0	8.9	4.5
ROBBERY.....	262	209	261	313	369	39.5	31.5	39.7	49.1	59.9
AGGRAVATED ASSAULT.....	219	139	143	168	158	33.0	21.0	21.7	26.3	25.6
BURGLARY.....	287	339	300	317	383	43.3	51.1	45.6	49.7	62.1
LARCENY, EXCEPT AUTO THEFT.....	201	145	171	200	241	30.3	21.9	26.0	31.4	39.1
AUTO THEFT.....	271	173	155	205	225	40.9	26.1	23.6	32.1	36.5
EMBEZZLEMENT AND FRAUD.....	97	65	113	164	89	14.6	9.8	17.2	25.7	14.4
STOLEN PROPERTY, RECEIVING, ETC.....	36	44	45	51	42	5.4	6.6	6.8	8.0	6.8
FORGERY AND COUNTERFEITING.....	87	68	81	106	94	13.1	10.3	12.3	16.6	15.3
RAPE.....	59	28	28	72	30	8.9	4.2	4.3	11.3	4.9
OTHER MAJOR OFFENSES.....	63	95	174	109	48	9.5	14.3	26.4	17.1	7.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,144	1,088	1,145	1,296	1,308	172.5	164.1	174.0	203.2	212.2
MURDER.....	13	9	8	13	10	2.0	1.4	1.2	2.0	1.6
MANSLAUGHTER.....	26	15	27	44	19	3.9	2.3	4.1	6.9	3.1
ROBBERY.....	147	160	199	211	268	22.2	24.1	30.2	33.1	43.5
AGGRAVATED ASSAULT.....	131	101	99	127	107	19.8	15.2	15.0	19.9	17.4
BURGLARY.....	226	309	261	272	349	34.1	46.6	39.7	42.7	56.6
LARCENY, EXCEPT AUTO THEFT.....	162	123	144	147	190	24.4	18.5	21.9	23.1	30.8
AUTO THEFT.....	231	147	117	162	178	34.8	22.2	17.8	25.4	28.9
EMBEZZLEMENT AND FRAUD.....	49	48	49	78	53	7.4	7.2	7.4	12.2	8.6
STOLEN PROPERTY, RECEIVING, ETC.....	24	26	23	30	18	3.6	3.9	3.5	4.7	2.9
FORGERY AND COUNTERFEITING.....	74	59	71	92	67	11.2	8.9	10.8	14.4	10.9
RAPE.....	25	21	18	42	16	3.8	3.2	2.7	6.6	2.6
OTHER MAJOR OFFENSES.....	36	70	129	78	33	5.4	10.6	19.6	12.2	5.4

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE DISTRICT OF COLUMBIA FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	16,445	100.0	13,411	100.0	15,200	100.0	17,788	100.0	17,720	100.0
ELIMINATED WITHOUT CONVICTION.....	501	3.0	253	1.9	375	2.5	492	2.7	412	2.4
DISMISSED.....	284	1.7	162	1.2	250	1.6	327	1.8	301	1.7
ACQUITTED BY COURT (JURY WAIVED).....	34	0.2	35	0.3	3	0.0	7	0.0	0	0.0
ACQUITTED BY JURY.....	173	1.0	52	0.4	107	0.7	154	0.8	105	0.6
OTHER NO-PENALTY DISPOSITION.....	10	0.0	4	0.0	15	0.1	4	0.0	6	0.0
CONVICTED.....	11,444	69.5	10,888	81.1	11,445	75.3	12,996	72.5	13,008	76.0
PLEA OF GUILTY.....	892	5.4	914	6.8	955	6.3	1,069	5.9	1,107	6.3
COURT FINDS GUILTY (JURY WAIVED).....	8	0.0	2	0.0	1	0.0	4	0.0	0	0.0
JURY VERDICT GUILTY.....	2,444	14.8	1,720	12.8	1,890	12.4	2,223	12.5	2,011	11.7

TABLE 3.—TYPES OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	11,144	100.0	10,688	100.0	11,445	100.0	12,996	100.0	13,008	100.0
DEATH PENALTY.....	6	0.0	1	0.0	1	0.0	1	0.0	4	0.0
REFORMATORY.....	702	6.1	679	6.2	697	6.0	776	5.9	713	5.4
PROBATION OR SUSPENDED SENTENCE.....	293	2.6	297	2.7	338	2.9	349	2.6	451	3.4
LOCAL JAILS, WORKHOUSES, ETC.....	137	1.2	108	0.9	104	0.9	167	1.2	135	1.0
FINE OR COSTS ONLY.....	6	0.0	3	0.0	5	0.0	3	0.0	0	0.0
INSTITUTIONS FOR JUVENILES.....	0	0.0	0	0.0	0	0.0	0	0.0	5	0.0
OTHER SENTENCE.....	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT							
	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	REFORMATORY ¹	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK- HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	1,849	556	326	35	183	12	1,293	1,018	8	267	6	718	353	202	14	-	-	
MAJOR OFFENSES, TOTAL.....	1,645	501	284	34	173	10	1,144	892	8	244	6	702	293	137	6	-	-	
MURDER.....	21	8	4	1	3	-	13	4	-	9	3	10	-	-	-	-	-	
MANSLAUGHTER.....	42	16	3	4	8	-	26	9	-	16	-	20	-	6	-	-	-	
ROBBERY.....	262	115	72	2	41	-	147	101	-	46	-	131	8	8	-	-	-	
AGGRAVATED ASSAULT.....	219	88	41	6	40	-	131	67	-	63	-	89	33	9	-	-	-	
BURGLARY.....	287	61	33	9	18	-	226	191	-	33	-	157	53	16	-	-	-	
LARCENY, EXCEPT AUTO THEFT.....	201	39	25	2	11	-	162	147	-	14	-	75	52	35	-	-	-	
AUTO THEFT.....	271	40	24	5	8	-	231	204	-	26	-	108	86	37	-	-	-	
EMBEZZLEMENT AND FRAUD.....	97	48	30	-	17	-	49	41	-	8	-	26	13	5	-	-	-	
STOLEN PROPERTY, RECEIVING, ETC.....	36	12	11	-	2	-	24	21	-	2	-	5	14	5	-	-	-	
FORGERY AND COUNTERFEITING.....	87	13	9	2	2	-	74	68	-	6	-	40	24	9	-	-	-	
RAPE.....	59	34	15	2	17	-	25	14	-	10	-	18	3	1	-	-	-	
COMMERCIALIZED VICE.....	8	4	4	1	1	-	4	2	-	2	-	3	1	1	-	-	-	
OTHER SEX OFFENSES.....	17	4	2	2	-	-	6	1	-	3	-	5	1	1	-	-	-	
VIOLATING DRUG LAWS.....	30	7	5	2	-	-	13	10	-	3	-	8	2	3	-	-	-	
CARRYING, ETC., WEAPONS.....	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
OTHER MAJOR OFFENSES.....	11	5	4	1	6	-	13	12	-	1	-	7	4	2	-	-	-	
ABORTION.....	3	2	-	-	2	-	1	1	-	-	-	1	-	-	-	-	-	
ARSON.....	3	2	-	-	2	-	1	1	-	-	-	1	-	-	-	-	-	
BIGAMY.....	1	1	-	-	1	-	1	1	-	-	-	-	-	-	-	-	-	
BLACKMAIL AND EXTORTION.....	5	2	2	-	1	-	3	3	-	-	-	2	-	1	-	-	-	
ESCAPE AND JAIL BREAK.....	1	1	-	-	-	-	1	1	-	-	-	-	-	1	-	-	-	
KIDNAPING.....	1	1	-	-	-	-	1	1	-	-	-	-	-	1	-	-	-	
PERJURY.....	11	5	4	-	1	-	6	5	-	1	-	4	2	-	-	-	-	
MINOR OFFENSES ²	204	55	42	1	10	2	149	126	-	23	-	16	60	65	8	-	-	

¹THE REFORMATORY AT LORTON, VIRGINIA. IS THE ONLY DISTRICT OF COLUMBIA INSTITUTION FOR THE INCARCERATION OF FELONS. WOMEN CONVICTED IN THE DISTRICT COURT AND SENTENCED TO INCARCERATION ARE INCARCERATED IN THE WOMEN'S REFORMATORY AT LORTON, VIRGINIA.

¹ THE REFORMATORY AT LORTON, VIRGINIA, IS THE ONLY DISTRICT OF COLUMBIA INSTITUTION FOR THE INCARCERATION OF FELONS. WOMEN CONVICTED IN THE DISTRICT COURT AND SENTENCED TO IMPRISONMENT ARE INCARCERATED IN THE WORKHOUSE AT OCCOQUAN.

² THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS; -, IN PERCENT COLUMNS, 0.

of defendants in the District Court, an analysis of the time elements between dates of filing the indictment, and the final plea, trial, or disposition was made possible. These data are presented in tables 1 to 8 by method of disposition, according to the total time elapsing from filing of indictment to the disposition, from filing of indictment to the final plea, and from final plea to trial. For defendants convicted and sentenced, the total time elapsing from filing to disposition is presented by sentence or treatment. In an analysis of these data, it must be remembered that the disposition accorded a defendant directly concerns his personal welfare and what might appear to be unjustified when viewed from the standpoint of pure efficiency may appear only just and right when fully analyzed.

Nearly three-fourths of the 1,849 defendants are disposed of in less than 2 months, but the disposition of 70, or 3.8 percent, was pending for 12 months or more. Defendants who were convicted and sentenced received somewhat speedier treatment than those who were eliminated without conviction. Of the defendants who were convicted, 79.4 percent were disposed of in less than 2 months and 54.1 percent in less than 1 month; but of the defendants eliminated without conviction, only 55.8 percent were disposed of in less than 2 months and only 34.0 percent in less than 1 month. (See table 5.) These data seem to substantiate the statement that the probability of conviction decreases with the passage of time.

For 60.1 percent of the defendants who entered plea, the time lost between filing of the indictment and final plea did not exceed 1 week. Of the 2 defendants who pleaded guilty as charged, how-

ever, only 49.7 percent had entered their final plea by the end of 7 days, and of the 146 who pleaded guilty to a lesser offense than charged, only 11, or 7.5 percent, had entered their final plea by the end of 1 week. (See table 6.)

Of the 1,849 defendants disposed of in 1941, only 494 were brought to trial, and of these, 275, or 55.7 percent, were convicted and sentenced. Of the defendants not convicted, 67.6 percent were tried within 59 days after entering plea, but of the defendants who were convicted 73.5 percent had been tried by then. (See table 7.) Defendants convicted and sentenced to jail received somewhat slower disposition than those placed on probation or sentenced to imprisonment in the reformatory. Of the defendants sentenced to jail, 49.0 percent were disposed of during the first month, as compared with 52.4 percent of those placed on probation and 57.1 percent of those sentenced to the reformatory. (See table 8.)

Only 169, or 13.1 percent of the 1,293 convicted defendants, had been charged with a more serious offense than that of which convicted. Of these 169 defendants, 22 were convicted by jury, 1 by court, and 146, or 86.4 percent, on a plea of guilty. The greatest number of these defendants, 55, had been charged with assault with a deadly weapon, but were convicted of threatened assault. Twenty-five were charged with robbery, but of these, 3 were convicted of assault to rob, 10 with threatened assault, and 12 with petit larceny. Table 9 presents these 169 defendants convicted of a lesser offense, by offense charged, and table 10 by offense convicted, in comparison with defendants convicted as charged.

TABLE 5.—DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF INDICTMENT AND FINAL DISPOSITION: DISTRICT OF COLUMBIA, 1941

TIME ELAPSED	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL.....	1,849	556	326	35	183	12	1,293	872	146	7	1	245	22
UNDER 1 MONTH.....	889	189	99	11	76	3	700	571	48	3	-	73	5
0-7 DAYS.....	40	9	7	-	2	-	31	27	1	-	-	3	-
8-14 DAYS.....	355	72	38	6	28	-	283	254	11	-	-	15	3
15-29 DAYS.....	494	108	54	5	46	3	386	290	36	3	-	55	2
1 MONTH.....	448	121	61	13	46	1	327	178	54	2	1	86	6
30-44 DAYS.....	315	71	37	10	23	1	244	139	40	2	1	60	2
45-59 DAYS.....	133	50	24	3	23	-	83	39	14	-	-	26	4
60-90 DAYS.....	163	62	49	3	10	-	101	50	9	2	-	37	3
3 MONTHS.....	209	98	66	6	20	6	111	47	25	-	-	35	4
6 MONTHS.....	70	39	21	2	16	-	31	11	9	-	-	7	4
12 MONTHS AND OVER.....	70	47	30	-	15	2	23	15	1	-	-	7	-
PERCENT													
TOTAL.....	100.0	100.0	100.0	(¹)	100.0	(¹)	100.0	100.0	100.0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	48.1	34.0	30.4	...	41.5	...	54.1	65.5	32.9	...	...	29.8	...
0-7 DAYS.....	2.2	1.6	2.1	...	1.1	...	2.4	3.1	0.7	...	...	1.2	...
8-14 DAYS.....	19.2	12.9	11.7	...	15.3	...	21.9	29.1	7.5	...	...	6.1	...
15-29 DAYS.....	26.7	19.4	16.6	...	25.1	...	29.9	33.3	24.7	...	...	22.4	...
1 MONTH.....	24.2	21.8	18.7	...	25.1	...	25.3	20.4	37.0	...	...	35.1	...
30-44 DAYS.....	17.0	12.8	11.3	...	12.6	...	18.9	15.9	27.4	...	...	24.5	...
45-59 DAYS.....	7.2	9.0	7.4	...	12.6	...	6.4	4.5	9.6	...	...	10.6	...
60-90 DAYS.....	8.8	11.2	15.0	...	5.5	...	7.8	5.7	6.2	...	...	15.1	...
3 MONTHS.....	11.3	17.6	20.2	...	10.9	...	8.6	5.4	17.1	...	...	14.3	...
6 MONTHS.....	3.8	7.0	6.4	...	8.7	...	2.4	1.3	6.2	...	...	2.9	...
12 MONTHS AND OVER.....	3.8	8.5	9.2	...	8.2	...	1.8	1.7	0.7	2.9	...

¹PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

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TABLE 6.—DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF INDICTMENT AND FINAL PLEA ON ARRAIGNMENT: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING FROM FILING TO PLEA	TOTAL DEFEND- ANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	1,849	556	326	35	183	12	1,293	872	145	7	1	245	2
DEFENDANTS NOT ENTERING PLEA..	46	46	41	-	-	5	-	-	-	-	-	-	-
DEFENDANTS ENTERING PLEA.....	1,803	510	285	35	183	7	1,293	872	146	7	1	245	2
UNDER 1 MONTH.....	1,492	460	256	34	165	5	1,032	693	72	7	1	238	2
0-7 DAYS.....	1,083	397	216	30	148	3	686	433	11	7	1	217	1
8-14 DAYS.....	234	49	33	4	10	2	185	138	26	-	-	17	-
15-29 DAYS.....	175	14	7	-	7	-	161	122	35	-	-	4	-
1 MONTH.....	148	14	10	1	3	-	134	98	35	-	-	-	-
30-44 DAYS.....	103	9	5	1	3	-	94	67	26	-	-	-	-
45-59 DAYS.....	45	5	-	-	-	-	40	31	9	-	-	-	-
2 MONTHS.....	60	18	3	-	14	1	42	28	13	-	-	1	-
3-5 MONTHS.....	61	8	8	-	-	-	53	30	20	-	-	3	-
6-11 MONTHS.....	16	1	1	-	-	-	15	9	6	-	-	-	-
12 MONTHS AND OVER.....	26	9	7	-	1	1	17	14	-	-	-	3	-
PERCENT													
DEFENDANTS ENTERING PLEA.....	100.0	100.0	100.0	(¹)	100.0	(¹)	100.0	100.0	100.0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	82.8	90.2	89.8	...	90.2	...	79.8	79.5	49.3	...	...	97.1	...
0-7 DAYS.....	60.1	77.8	75.8	...	80.9	...	53.1	49.7	7.5	...	...	88.6	...
8-14 DAYS.....	13.0	9.6	11.6	...	5.5	...	14.3	15.8	17.8	...	...	6.9	...
15-29 DAYS.....	9.7	2.7	2.5	...	3.8	...	12.5	14.0	24.0	...	...	1.6	...
1 MONTH.....	8.2	2.7	3.5	...	1.6	...	10.4	11.2	24.0	...	...	0	...
30-44 DAYS.....	5.7	1.8	1.8	...	1.6	...	7.3	7.7	17.8	...	...	0	...
45-59 DAYS.....	2.5	1.0	1.8	...	0	...	3.1	3.6	6.2	...	...	0	...
2 MONTHS.....	3.3	3.5	1.1	...	7.7	...	3.2	3.2	8.9	...	...	0.4	...
3-5 MONTHS.....	3.4	1.6	2.8	...	0	...	4.1	3.4	13.7	...	...	1.2	...
6-11 MONTHS.....	0.9	0.2	0.4	...	0	...	1.2	1.0	4.1	...	...	0	...
12 MONTHS AND OVER.....	1.4	1.8	2.5	...	0.5	...	1.3	1.6	0	...	...	1.2	...

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 7.—DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FINAL PLEA ON ARRAIGNMENT AND TRIAL: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING FROM PLEA TO TRIAL	TOTAL DEFEND- ANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		CCJRT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	1,849	556	326	35	183	12	1,293	872	146	7	1	245	2
DEFENDANTS NOT TRIED.....	1,355	337	326	-	-	11	1,018	872	146	-	-	-	-
DEFENDANTS TRIED.....	494	219	-	35	183	1	275	-	-	7	1	245	2
UNDER 1 MONTH.....	245	102	-	16	86	-	143	-	-	5	-	131	-
0-7 DAYS.....	53	17	-	3	14	-	36	-	-	-	-	34	-
8-14 DAYS.....	87	38	-	7	31	-	49	-	-	3	-	43	-
15-29 DAYS.....	105	47	-	6	41	-	58	-	-	2	-	54	-
1 MONTH.....	105	46	-	8	38	-	59	-	-	-	1	52	-
30-44 DAYS.....	57	26	-	6	20	-	31	-	-	-	1	28	-
45-59 DAYS.....	48	20	-	2	18	-	28	-	-	-	-	24	-
2-5 MONTHS.....	41	14	-	3	11	-	27	-	-	2	-	23	-
6-11 MONTHS.....	85	43	-	8	35	-	42	-	-	-	-	35	-
12 MONTHS AND OVER.....	18	14	-	-	13	1	4	-	-	-	-	4	-
PERCENT													
DEFENDANTS TRIED.....	100.0	100.0	0	(¹)	100.0	(¹)	100.0	0	0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	49.6	46.6	0	...	47.0	...	52.0	0	0	...	...	53.5	...
0-7 DAYS.....	10.7	7.8	0	...	7.7	...	13.1	0	0	...	...	13.9	...
8-14 DAYS.....	17.6	17.4	0	...	15.9	...	17.8	0	0	...	...	17.6	...
15-29 DAYS.....	21.3	21.5	0	...	22.4	...	21.1	0	0	...	...	22.0	...
1 MONTH.....	21.3	21.0	0	...	20.8	...	21.5	0	0	...	...	21.2	...
30-44 DAYS.....	11.5	11.9	0	...	10.9	...	11.3	0	0	...	...	11.4	...
45-59 DAYS.....	9.7	9.1	0	...	9.8	...	10.2	0	0	...	...	9.8	...
2-5 MONTHS.....	8.3	6.4	0	...	6.0	...	9.8	0	0	...	...	9.4	...
6-11 MONTHS.....	17.2	19.6	0	...	19.1	...	15.3	0	0	...	...	14.3	...
12 MONTHS AND OVER.....	3.6	6.4	0	...	7.1	...	1.5	0	0	...	...	1.6	...

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED IN THE DISTRICT COURT BY SENTENCE AND TIME ELAPSING FROM FILING OF INDICTMENT TO FINAL DISPOSITION: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING	TOTAL NUMBER OF DEFENDANTS SENTENCED	DEATH PENALTY	REFORMATORY	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER
TOTAL.....	1,293	6	718	353	202	14	-	-
UNDER 1 MONTH.....	700	1	410	185	99	5	-	-
0-7 DAYS.....	31	-	28	-	3	-	-	-
8-14 DAYS.....	283	-	180	67	32	4	-	-
15-29 DAYS.....	306	1	202	118	64	1	-	-
1 MONTH.....	327	3	157	105	61	1	-	-
30-44 DAYS.....	244	2	121	76	45	-	-	-
45-59 DAYS.....	85	1	36	29	16	1	-	-
2 MONTHS.....	101	-	61	25	15	-	-	-
3-5 MONTHS.....	111	1	56	28	20	6	-	-
6-11 MONTHS.....	31	1	16	8	5	1	-	-
12 MONTHS AND OVER.....	23	-	18	2	2	1	-	-
PERCENT								
TOTAL.....	100.0	(¹)	100.0	100.0	100.0	(¹)	0	0
UNDER 1 MONTH.....	54.1	...	57.1	52.4	49.0	...	0	0
0-7 DAYS.....	2.4	...	3.9	0	1.5	...	0	0
8-14 DAYS.....	21.9	...	25.1	19.0	15.8	...	0	0
15-29 DAYS.....	29.9	...	28.1	33.4	31.7	...	0	0
1 MONTH.....	25.3	...	21.9	29.7	30.2	...	0	0
30-44 DAYS.....	18.9	...	16.9	21.5	22.3	...	0	0
45-59 DAYS.....	6.4	...	5.0	8.2	7.9	...	0	0
2 MONTHS.....	7.8	...	8.5	7.1	7.4	...	0	0
3-5 MONTHS.....	8.6	...	7.8	7.9	9.9	...	0	0
6-11 MONTHS.....	2.4	...	2.2	2.3	2.5	...	0	0
12 MONTHS AND OVER.....	1.8	...	2.5	0.6	1.0	...	0	0

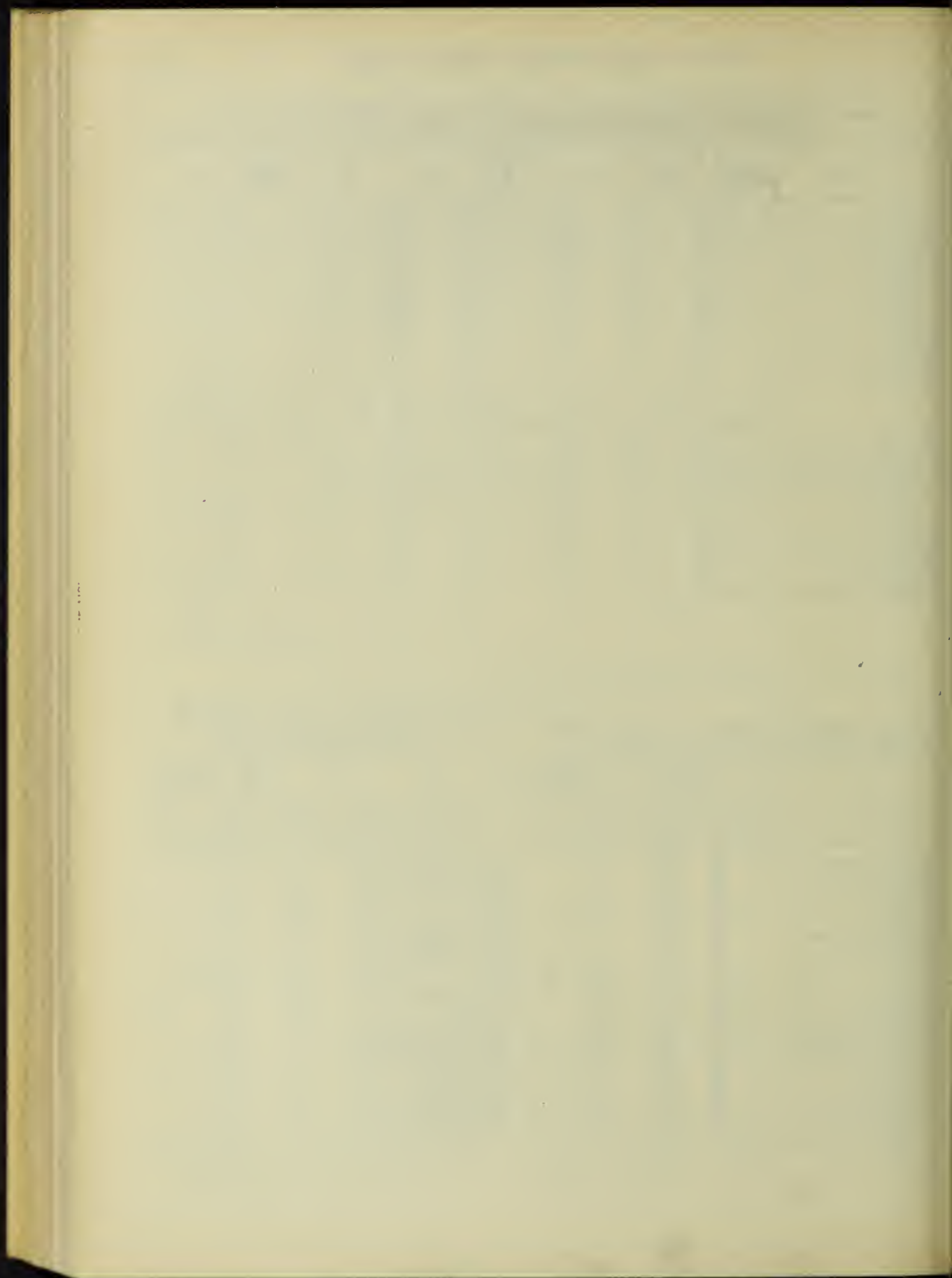
¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 9.—DEFENDANTS DISPOSED OF BY OFFENSE CHARGED AND TYPE OF DISPOSITION: DISTRICT OF COLUMBIA, 1941

OFFENSE	TOTAL	DISPOSED OF WITHOUT CONVICTION	CONVICTED AS CHARGED	CONVICTED OF A LESSER OFFENSE
ALL OFFENSES.....	1,849	556	1,124	169
MAJOR OFFENSES, TOTAL.....	1,721	501	1,052	168
MURDER, FIRST DEGREE.....	17	6	5	6
MURDER, SECOND DEGREE.....	13	2	2	9
MANSLAUGHTER.....	30	15	11	4
NEGLECT HOMICIDE.....	3	1	2	-
ROBBERY.....	260	101	134	25
ASSAULT TO ROB.....	24	14	8	2
ATTEMPT TO COMMIT ROBBERY.....	1	-	1	-
AGGRAVATED ASSAULT.....	9	3	3	3
ASSAULT WITH DEADLY WEAPON.....	286	85	126	55
WYTHEM.....	1	-	1	-
BURGLARY.....	306	61	226	18
LARCENY, EXCEPT AUTO THEFT.....	170	39	109	22
PETTY LARCENY.....	1	-	1	-
AUTO THEFT.....	268	40	228	-
EMBEZZLEMENT AND FRAUD.....	97	48	48	1
STOLEN PROPERTY, RECEIVING, ETC.....	27	12	24	3
FORGERY AND COUNTERFEITING.....	87	13	74	-
RAPE.....	26	10	5	11
CARNAL KNOWLEDGE.....	40	24	9	7
COMMERCIALIZED VICE.....	9	4	4	1
OTHER SEX OFFENSES.....	8	2	5	1
OTHER MAJOR OFFENSES.....	47	21	26	-
MINOR OFFENSES, TOTAL.....	128	55	72	1

TABLE 10.—DEFENDANTS CONVICTED, BY OFFENSE FOR WHICH CONVICTED, AND TYPE OF CHARGE: DISTRICT OF COLUMBIA, 1941

OFFENSE	TOTAL	CHARGED SAME OFFENSE	CHARGED WITH MORE SERIOUS OFFENSE
ALL OFFENSES.....	1,293	1,124	169
MAJOR OFFENSES, TOTAL.....	1,144	1,052	92
MURDER, FIRST DEGREE.....	5	5	-
MURDER, SECOND DEGREE.....	8	2	6
MANSLAUGHTER.....	20	11	9
NEGLECT HOMICIDE.....	6	2	4
ROBBERY.....	134	134	-
ASSAULT TO ROB.....	11	8	3
ATTEMPT TO COMMIT ROBBERY.....	2	1	1
AGGRAVATED ASSAULT.....	3	3	-
ASSAULT WITH DEADLY WEAPON.....	127	126	1
WYTHEM.....	1	1	-
BURGLARY.....	226	226	-
LARCENY, EXCEPT AUTO THEFT.....	111	109	2
PETTY LARCENY.....	51	1	50
AUTO THEFT.....	231	228	3
EMBEZZLEMENT AND FRAUD.....	49	48	1
STOLEN PROPERTY, RECEIVING, ETC.....	24	24	-
FORGERY AND COUNTERFEITING.....	74	74	-
RAPE.....	5	5	-
CARNAL KNOWLEDGE.....	20	9	11
COMMERCIALIZED VICE.....	4	4	-
OTHER SEX OFFENSES.....	6	5	1
OTHER MAJOR OFFENSES.....	26	26	-
MINOR OFFENSES, TOTAL.....	149	72	77



JUDICIAL CRIMINAL STATISTICS

OHIO, 1941

Of the 4,515 defendants disposed of for a major offense in the common pleas courts of Ohio during 1941, 3,755, or approximately 8 out of 10, were convicted and sentenced. Of the 3,755 convicted defendants, 1,721, slightly less than half, were sentenced to imprisonment in a State prison or reformatory, and for 1,573 sentence was suspended. Thirty-six of the 58 defendants charged with murder were convicted and sentenced, as were 181 of the 193 charged with manslaughter. Of the 3,441 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 2,904, or about 17 out of every 20, were convicted. Of the 642 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 497, or about 15 out of every 20, were convicted and sentenced. (See table 4.)

The rate per 100,000 population for all defendants convicted of major offenses increased from 72.8 in 1937 to 79.7 in 1938, but decreased to 54.4 in 1941. The rate of conviction was higher for burglary than for any other offense during each of the 5 years, but it decreased from 21.8 in 1938 to 13.8 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has remained almost constant since 1939, when 83.3 percent of the defendants were convicted. In 1941, 83.2 percent of all defendants were convicted; 71.7 percent pleaded guilty, 6.7 percent were convicted by jury, and 4.8 percent were convicted by court. (See table 2.)

From 1937 to 1941 there was little change in the proportion of defendants sentenced to imprisonment and placed on probation. The proportion of defendants placed on probation showed a slight increase, from 39.8 in 1937 to 43.4 in 1939, but dropped to 41.9 in 1941. The proportion of defend-

ants sentenced to imprisonment in a State prison or reformatory ranged from 46.9 in 1937 to 45.4 in 1939, but increased to 45.8 in 1941. (See table 3.)

Tables 1 to 4 present data on the disposition of persons charged with a criminal offense and brought before a common pleas court, which is the court having original felony jurisdiction in Ohio. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rates per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense. The tables were prepared from individual reports received from the office of the Secretary of State of Ohio for each defendant disposed of in a common pleas court.

A common criticism of court administration is that there are often unnecessary and exceedingly long delays in the disposition of criminal cases. Individual reports were received on the disposition of defendants in the common pleas courts and on the basis of these records, time intervals from filing of indictment or information to final plea, trial, and disposition were computed. These data are presented in tables 5 to 8 by method of disposition, according to total time elapsing from filing of indictment or information to disposition, from filing to final plea, and from final plea to trial. For defendants convicted and sentenced, total time elapsing from filing to disposition is presented by sentence or treatment. In the analysis of these data

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN OHIO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	4,515	5,320	5,536	6,459	6,010	65.4	77.0	80.2	94.3	90.1
MURDER.....	58	73	72	115	107	0.8	1.1	1.0	1.7	1.6
MANSLAUGHTER.....	193	181	175	201	233	2.8	2.6	2.5	2.9	3.5
ROBBERY.....	452	592	602	778	689	6.5	8.6	8.7	11.4	10.3
AGGRAVATED ASSAULT.....	234	271	262	340	312	3.4	3.9	3.8	5.0	4.7
BURGLARY.....	1,080	1,473	1,497	1,682	1,415	15.6	21.3	21.7	24.5	21.2
LARCENY, EXCEPT AUTO THEFT.....	634	692	775	804	891	9.2	10.0	11.2	11.7	13.4
AUTO THEFT.....	499	540	524	661	626	7.2	7.8	7.6	9.6	9.4
EMBEZZLEMENT AND FRAUD.....	301	318	313	378	344	4.4	4.6	4.5	5.5	5.2
STOLEN PROPERTY, RECEIVING, ETC....	76	106	163	157	147	1.1	1.5	2.4	2.3	2.2
FORGERY AND COUNTERFEITING.....	399	504	479	601	474	5.8	7.3	6.9	8.8	7.1
RAPE.....	157	150	183	191	231	2.3	2.2	2.7	2.8	3.5
OTHER MAJOR OFFENSES.....	432	420	491	551	541	6.3	6.1	7.1	8.0	8.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	3,755	4,453	4,611	5,462	4,857	54.4	64.5	66.8	79.7	72.8
MURDER.....	36	52	50	89	61	0.5	0.8	0.7	1.3	0.9
MANSLAUGHTER.....	161	142	132	169	179	2.3	2.1	1.9	2.5	2.7
ROBBERY.....	356	499	494	674	523	5.2	7.2	7.2	9.8	7.8
AGGRAVATED ASSAULT.....	179	210	199	272	233	2.6	3.0	2.9	4.0	3.5
BURGLARY.....	955	1,290	1,341	1,492	1,238	13.8	18.7	19.4	21.8	18.6
LARCENY, EXCEPT AUTO THEFT.....	548	618	677	706	774	7.9	8.9	9.8	10.3	11.6
AUTO THEFT.....	444	486	454	588	535	6.4	7.0	6.6	8.6	8.0
EMBEZZLEMENT AND FRAUD.....	199	217	215	268	223	2.9	3.1	3.1	3.9	3.3
STOLEN PROPERTY, RECEIVING, ETC....	66	85	135	131	122	1.0	1.2	2.0	1.9	1.8
FORGERY AND COUNTERFEITING.....	236	408	382	512	402	4.9	5.9	5.5	7.5	6.0
RAPE.....	121	102	135	137	155	1.8	1.5	2.0	2.0	2.3
OTHER MAJOR OFFENSES.....	354	344	397	424	411	5.1	5.0	5.8	6.2	6.2

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 97. PERCENT OF THE POPULATION OF THE STATE FOR 1937; 99.8 PERCENT FOR 1938; AND 100.0 PERCENT FOR 1939-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	3755	100.0	4453	100.0	4611	100.0	5462	100.0	4857	100.0
DEATH PENALTY.....	2	0.1	7	0.2	1	0.0	18	0.3	3	0.1
STATE PRISONS OR REFORMATORIES.....	1721	45.8	2083	46.8	2093	45.4	2506	45.9	2279	46.9
PROBATION OR SUSPENDED SENTENCE.....	1573	41.9	1880	42.2	2001	43.4	2297	42.1	1932	39.8
LOCAL JAILS, WORKHOUSES, ETC.....	301	8.0	295	6.6	379	8.2	468	8.6	427	8.8
FINE OR COSTS ONLY.....	158	4.2	188	4.2	137	3.0	173	3.2	212	4.4
INSTITUTIONS FOR JUVENILES.....	-	0	-	0	-	0	-	0	4	0.1
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	4515	100.0	5320	100.0	5536	100.0	6459	100.0	6010	100.0
ELIMINATED WITHOUT CONVICTION.....	760	16.8	867	16.3	925	16.7	997	15.4	1153	19.2
DISMISSED.....	528	11.7	620	11.7	668	12.1	682	10.6	796	13.2
ACQUITTED BY COURT (JURY WAIVED).....	97	2.1	82	1.5	93	1.7	83	1.3	129	2.1
ACQUITTED BY JURY.....	111	2.5	117	2.2	123	2.2	179	2.8	158	2.6
OTHER NO-PENALTY DISPOSITION.....	24	0.5	48	0.9	41	0.7	53	0.8	70	1.2
CONVICTED.....	3755	83.2	4453	83.7	4611	83.3	5462	84.6	4857	80.8
PLEA OF GUILTY.....	3235	71.7	3959	74.4	4070	73.5	4757	73.3	4150	69.1
COURT FINDS GUILTY (JURY WAIVED).....	217	4.8	223	4.2	236	4.3	253	3.9	300	5.0
JURY VERDICT GUILTY.....	303	6.7	271	5.1	305	5.5	472	7.3	400	6.7

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
	TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY								
ALL OFFENSES.....	6,694	1,172	861	138	147	26	5,522	4,825	308	309	2	1,784	2,144	673	919	-	-
MAJOR OFFENSES, TOTAL.....	4,515	760	528	97	111	24	3,755	3,235	217	303	2	1,721	1,573	301	158	-	-
MURDER.....	58	22	6	3	10	3	36	13	7	16	2	34	54	24	11	-	-
MANSLAUGHTER.....	193	32	11	8	12	1	161	121	14	26	-	72	79	5	-	-	-
ROBBERY.....	452	96	60	17	15	4	356	276	36	44	-	272	82	5	3	-	-
AGGRAVATED ASSAULT.....	234	55	32	13	6	4	179	137	17	25	-	89	455	24	2	-	-
BURGLARY.....	1,080	125	89	16	19	1	955	851	40	64	-	474	230	135	39	-	-
LARCENY, EXCEPT AUTO THEFT.....	634	86	62	16	7	1	548	492	22	34	-	144	224	17	10	-	-
AUTO THEFT.....	499	55	45	5	3	2	444	410	20	14	-	211	224	17	10	-	-
EMBEZZLEMENT AND FRAUD.....	301	102	89	3	10	-	199	180	6	13	-	50	122	14	4	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	76	10	10	2	4	-	66	59	3	4	-	15	33	7	16	-	-
FORGERY AND COUNTERFEITING.....	399	63	57	2	4	-	336	316	9	11	-	147	166	20	26	-	-
RAPE.....	157	36	22	3	9	2	121	82	13	26	-	79	22	7	5	-	-
COMMERCIALIZED VICE.....	41	6	4	1	1	-	35	31	2	2	-	6	5	4	4	-	-
OTHER SEX OFFENSES.....	132	29	13	5	8	3	103	77	16	10	-	75	15	7	5	-	-
VIOLATING DRUG LAWS.....	21	-	-	-	-	-	21	18	2	1	-	4	9	4	4	-	-
CARRYING, ETC., WEAPONS.....	121	18	13	2	2	1	105	97	5	1	-	10	37	29	27	-	-
OTHER MAJOR OFFENSES.....	117	25	15	3	5	2	92	75	5	12	-	38	42	7	5	-	-
ABORTION.....	6	3	3	2	3	-	3	1	-	2	-	3	-	-	-	-	-
ARSON.....	47	13	6	2	3	2	34	28	1	5	-	15	11	-	2	-	-
BIGAMY.....	16	-	-	-	-	-	16	14	2	-	-	5	11	-	-	-	-
BLACKMAIL AND EXTORTION.....	5	2	-	1	1	-	3	1	-	2	-	2	1	7	1	-	-
ESCAPE AND JAIL BREAK.....	12	1	1	-	-	-	11	10	-	1	-	2	1	3	1	-	-
KIDNAPING.....	14	1	1	-	1	-	13	11	-	1	-	10	3	-	2	-	-
PERJURY.....	17	5	5	-	-	-	12	10	-	2	-	1	9	-	-	-	-
MINOR OFFENSES ¹	2,179	412	333	41	36	2	1,767	1,590	91	86	-	63	571	372	761	-	-

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0; WHEN FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

SING	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
.....	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
.....	3,824	255	119	68	57	11	3,569	3,089	226	122	17	100	15
.....	1,635	62	38	18	3	3	1,573	1,496	50	21	-	5	1
.....	905	69	29	20	16	4	836	718	72	28	4	12	2
.....	1,284	124	52	30	38	4	1,160	875	104	73	13	83	12
.....	1,107	179	97	35	40	7	928	624	97	71	10	108	18
.....	697	105	54	19	28	4	592	404	59	47	8	63	11
.....	410	74	43	16	12	3	336	220	38	24	2	45	7
.....	514	95	55	13	22	5	419	268	56	34	2	50	9
.....	513	132	99	13	18	2	381	237	47	28	7	54	8
.....	268	138	124	5	8	1	130	98	6	9	-	16	1
ER.....	468	373	367	4	2	-	95	68	9	8	-	10	-
PERCENT													
.....	100.0	100.0	100.0	100.0	100.0	(¹)	100.0	100.0	100.0	100.0	(¹)	100.0	100.0
.....	57.1	21.8	13.8	49.3	38.8	...	64.6	70.5	51.2	44.9	...	29.6	29.4
.....	24.4	5.3	4.4	13.0	2.0	...	28.5	34.1	11.3	7.7	...	1.5	2.0
.....	13.5	5.9	3.4	14.5	10.9	...	15.1	16.4	16.3	10.3	...	3.6	3.9
.....	19.2	10.6	6.0	21.7	25.9	...	21.0	20.0	23.6	26.8	...	24.6	23.5
.....	16.5	15.3	11.3	25.4	27.2	...	16.8	14.2	22.0	26.1	...	32.0	35.3
.....	10.4	9.0	6.3	13.8	19.0	...	10.7	9.2	13.4	17.3	...	18.6	21.6
.....	6.1	6.3	5.0	11.6	8.2	...	6.1	5.0	8.6	8.8	...	13.3	13.7
.....	7.7	8.1	6.4	9.4	15.0	...	7.6	6.1	12.7	12.5	...	14.8	17.6
.....	7.7	11.3	11.5	9.4	12.2	...	6.9	5.4	10.7	10.3	...	16.0	15.7
.....	4.0	11.8	14.4	3.6	5.4	...	2.4	2.2	1.4	3.3	...	4.7	2.0
ER.....	7.0	31.8	42.6	2.9	1.4	...	1.7	1.6	2.0	2.9	...	3.0	0

SHOWN WHEN BASE IS LESS THAN 50.

TIME ELAPSING FROM FILING TO PLEA	TOTAL DEFEND- ANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION						CONVICTED					
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
DEFENDANTS NOT ENTERING PLEA.....	578	578	566	-	-	12	-	-	-	-	-	-	-
DEFENDANTS ENTERING PLEA.....	6,116	594	295	138	147	14	5,522	4,384	441	272	36	338	51
UNDER 1 MONTH.....	4,828	526	257	120	136	13	4,302	3,428	249	249	34	295	47
1-7 DAYS.....	3,025	423	210	101	101	11	2,602	2,015	69	216	32	231	39
8-14 DAYS.....	984	71	33	14	23	1	913	775	76	22	1	35	4
15-29 DAYS.....	819	32	14	5	12	1	787	638	104	11	1	29	4
30-44 DAYS.....	591	23	13	4	6	-	568	435	93	12	2	23	3
45-59 DAYS.....	377	18	11	4	3	-	359	278	58	8	2	11	2
60-99 DAYS.....	214	5	2	-	3	-	209	157	35	4	-	12	1
10-14 MONTHS.....	270	12	5	4	2	1	258	202	45	4	-	6	1
15-19 MONTHS.....	257	17	11	6	-	-	240	188	40	5	-	7	-
20-24 MONTHS.....	98	9	5	2	2	-	89	77	9	-	-	3	-
25 MONTHS AND OVER.....	72	7	4	2	1	-	65	54	5	2	-	4	-
PERCENT													
DEFENDANTS ENTERING PLEA.....	100.0	100.0	100.0	100.0	100.0	(¹)	100.0	100.0	100.0	100.0	(¹)	100.0	100.0
UNDER 1 MONTH.....	78.9	88.6	87.1	87.0	92.5	...	77.9	78.2	56.5	91.5	...	87.3	92.2
1-7 DAYS.....	49.5	71.2	71.2	73.2	68.7	...	47.1	46.0	15.6	79.4	...	68.3	76.5
8-14 DAYS.....	16.1	12.0	11.2	10.1	15.6	...	16.5	17.7	17.2	8.1	...	10.4	7.8
15-29 DAYS.....	13.4	5.4	4.7	3.6	8.2	...	14.3	14.6	23.6	4.0	...	8.6	7.8
30-44 DAYS.....	9.7	3.9	4.4	2.9	4.1	...	10.3	9.9	21.1	4.4	...	6.8	5.9
45-59 DAYS.....	6.2	3.0	3.7	2.9	2.0	...	6.5	6.3	13.2	2.9	...	3.3	3.9
60-99 DAYS.....	3.5	0.8	0.7	0	2.0	...	3.8	3.6	7.9	1.5	...	3.6	2.0
10-14 MONTHS.....	4.4	2.0	1.7	2.9	1.4	...	4.7	4.6	10.2	1.5	...	1.8	2.0
15-19 MONTHS.....	4.2	2.9	3.7	4.3	0	...	4.3	4.3	9.1	1.8	...	2.1	0
20-24 MONTHS.....	1.6	1.5	1.7	1.4	1.4	...	1.6	1.6	2.0	0	...	0.9	0
25 MONTHS AND OVER.....	1.2	1.2	1.4	1.4	0.7	...	1.2	1.2	1.1	0.7	...	1.2	0

PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

Nearly three-fourths of the 6,694 defendants were disposed of in less than 2 months, but the disposition of 68, or 7.0 percent, was pending for 12 months or more. Defendants who were convicted and sentenced re-

ceived speedier treatment than those who were eliminated without conviction. Of the defendants who were convicted, 81.4 percent were disposed of in less than 2 months and 64.8 percent in less than 1 month; but of the defendants eliminated without conviction only 37.1 percent were disposed of in less than 2 months and 21.8 percent in less than 1 month. (See table 5.) These data seem to substantiate the statement that the probability of a conviction decreases with the passage of time.

TABLE 7.—DEFENDANTS DISPOSED OF IN THE COMMON PLEAS COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN PLEA ON ARRAIGNMENT TO TRIAL: OHIO, 1941

TIME ELAPSING FROM PLEA TO TRIAL	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
DEFENDANTS NOT TRIED.....	5,712	887	861	-	-	26	4,825	4,384	441	-	-	-	-
DEFENDANTS TRIED.....	982	285	-	138	147	-	697	-	-	272	36	338	51
UNDER 1 MONTH.....	601	163	-	88	75	-	438	-	-	182	23	205	28
0-7 DAYS.....	221	70	-	43	27	-	151	-	-	72	5	68	6
8-14 DAYS.....	173	43	-	21	22	-	130	-	-	56	6	57	11
15-29 DAYS.....	207	50	-	24	26	-	157	-	-	54	12	80	11
1 MONTH.....	214	71	-	33	38	-	143	-	-	50	5	73	15
30-44 DAYS.....	141	44	-	20	24	-	97	-	-	35	3	47	12
45-59 DAYS.....	73	27	-	13	14	-	46	-	-	15	2	26	3
2-5 MONTHS.....	68	24	-	9	15	-	44	-	-	15	2	24	3
6-11 MONTHS.....	92	25	-	7	18	-	67	-	-	22	6	34	5
12 MONTHS AND OVER.....	7	2	-	1	1	-	5	-	-	3	-	2	-
PERCENT													
DEFENDANTS TRIED.....	100.0	100.0	0	100.0	100.0	(¹)	100.0	0	0	100.0	(¹)	100.0	100.0
UNDER 1 MONTH.....	61.2	57.2	0	63.8	51.0	...	62.8	0	0	66.9	...	60.7	54.9
0-7 DAYS.....	22.5	24.6	0	31.2	18.4	...	21.7	0	0	26.5	...	20.1	11.8
8-14 DAYS.....	17.6	15.1	0	15.2	15.0	...	18.7	0	0	20.6	...	16.9	21.6
15-29 DAYS.....	21.1	17.5	0	17.4	17.7	...	22.5	0	0	19.9	...	23.7	21.6
1 MONTH.....	21.8	24.9	0	23.9	25.9	...	20.5	0	0	18.4	...	21.6	29.4
30-44 DAYS.....	14.4	15.4	0	14.5	16.3	...	13.9	0	0	12.9	...	13.9	23.5
45-59 DAYS.....	7.4	9.5	0	9.4	9.5	...	6.6	0	0	5.5	...	7.7	5.9
2-5 MONTHS.....	6.9	8.4	0	6.5	10.2	...	6.3	0	0	5.5	...	7.1	5.9
6-11 MONTHS.....	9.4	8.8	0	5.1	12.2	...	9.6	0	0	8.1	...	10.1	9.8
12 MONTHS AND OVER.....	0.7	0.7	0	0.7	0.7	...	0.7	0	0	1.1	...	0.6	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED IN THE COMMON PLEAS COURT, BY SENTENCE AND TIME FROM FILING OF CHARGE TO FINAL DISPOSITION: OHIO, 1941

TIME ELAPSING	TOTAL NUMBER OF DEFENDANTS SENTENCED	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
TOTAL.....	5,522	2	1,784	2,144	673	919	-	-
UNDER 1 MONTH.....	3,569	1	1,147	1,270	438	713	-	-
0-7 DAYS.....	1,573	-	469	430	234	450	-	-
8-14 DAYS.....	836	-	290	370	99	77	-	-
15-29 DAYS.....	1,160	1	388	480	105	186	-	-
1 MONTH.....	928	1	347	397	106	77	-	-
30-44 DAYS.....	592	1	234	252	64	41	-	-
45-59 DAYS.....	336	-	113	145	42	36	-	-
2 MONTHS.....	419	-	122	176	80	41	-	-
3-5 MONTHS.....	381	-	115	171	34	61	-	-
6-11 MONTHS.....	130	-	24	78	6	22	-	-
12 MONTHS AND OVER.....	95	-	29	52	9	5	-	-
PERCENT								
TOTAL.....	100.0	(¹)	100.0	100.0	100.0	100.0	0	0
UNDER 1 MONTH.....	64.5	...	64.3	59.2	65.1	77.6	0	0
0-7 DAYS.....	28.5	...	26.3	19.6	34.8	49.0	0	0
8-14 DAYS.....	15.1	...	16.3	17.3	14.7	8.4	0	0
15-29 DAYS.....	21.0	...	21.7	22.4	15.6	20.2	0	0
1 MONTH.....	16.8	...	19.5	18.5	15.8	8.4	0	0
30-44 DAYS.....	10.7	...	13.1	11.8	9.5	4.5	0	0
45-59 DAYS.....	6.1	...	6.3	6.8	6.2	3.9	0	0
2 MONTHS.....	7.6	...	6.9	8.2	11.9	4.5	0	0
3-5 MONTHS.....	6.9	...	6.4	8.0	5.1	6.6	0	0
6-11 MONTHS.....	2.4	...	1.3	3.6	0.9	2.4	0	0
12 MONTHS AND OVER.....	1.7	...	1.6	2.4	1.3	0.5	0	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

For a little over three-fourths of the defendants who entered a plea, the time elapsing from filing of indictment or information to final plea was less than 1 month and for nearly half of them it did not exceed 1 week. Of the defendants who pleaded guilty to a lesser offense, only 15.3 percent had entered final plea by the end of a week, whereas 46.0 percent of those pleading guilty as charged entered final plea during the first week. (See table 6.)

Of the 6,694 defendants disposed of in the common pleas courts, only 982, or 14.7 percent, were brought to trial, and of these, 697, or 71.0 percent, were con-

victed and sentenced. Of the defendants who were convicted, 62.8 percent were tried in less than 1 month after plea, as compared with 57.2 percent of those who were not convicted. (See table 7.) Defendants convicted and placed on probation seem to have been disposed of a little more slowly than those receiving other treatment. Of all defendants placed on probation, 59.2 percent were disposed of within 1 month after filing of indictment or information, as compared with 64.3 percent of those sentenced to State prison or reformatory and 65.1 percent of those sent to local jails. (See table 8.)

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JUDICIAL CRIMINAL STATISTICS 1942

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Prepared under the supervision of
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WASHINGTON: 1944

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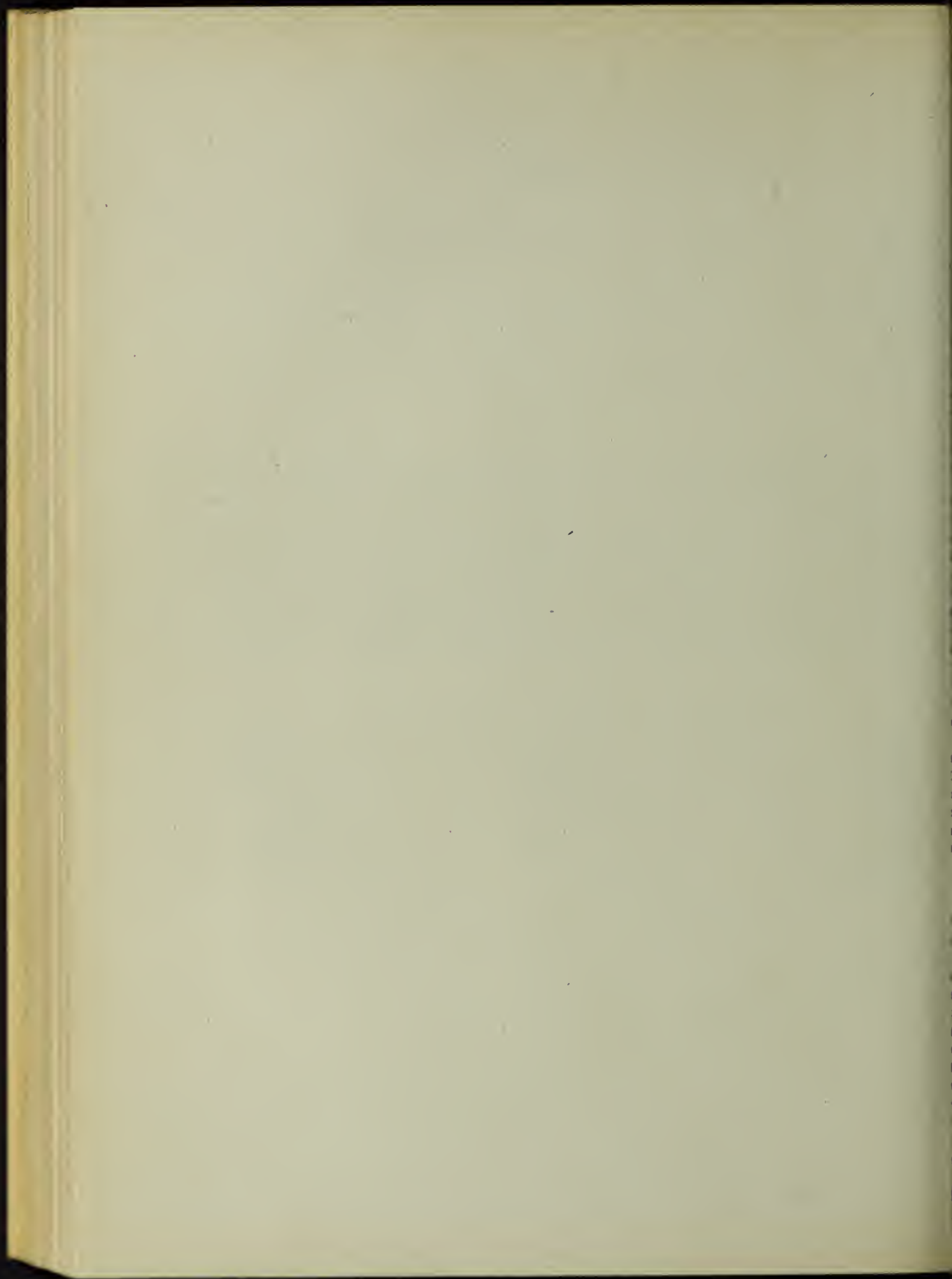
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STATE TABLES

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Connecticut	New Jersey	South Dakota
District of Columbia	New Mexico	Utah
Idaho	New York	Vermont
Iowa	North Dakota	Washington
Kansas	Ohio	Wisconsin
Massachusetts	Oregon	Wyoming
Minnesota		



JUDICIAL CRIMINAL STATISTICS: 1942

SUMMARY

INTRODUCTION

The 1942 statistics show substantially the same facts in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the data for the past seven years. The 1942 report presented chiefly as a brief summary of the statistical data collected from the cooperating States. The reader is referred to the reports for 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well as for a detailed analysis of the data collected.

It is emphasized again that comparisons between States should be made only with extreme caution and that probably no general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the statistics of this report. The most valuable comparisons are to be found in each State summary, which shows for defendants charged with major offenses the distribution of sentences and dispositions for the years 1938 to 1942.

The statistics indicate that 75 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction during 1942 were convicted. Seven-tenths of those disposed without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for 82 percent of all convictions. Of the defendants convicted and sentenced, 37 percent received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

SCOPE OF THE REPORT

Twenty-five States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports on defendants in criminal cases disposed of during the year 1942 in courts having original felony jurisdiction. This is the eleventh year in which the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States; 24 States furnished information for 1933, 27 for 1934, 30 for 1935 and 1936, 29 for 1937, 27 for 1938, 25 for 1939, 27 for 1940, and 25 for 1941.

LIMITATIONS OF THE STATISTICS

The judicial criminal statistics gathered by the Bureau of the Census are limited for the

most part to statistics of criminal defendants disposed of by courts of general jurisdiction. In most States, there is a court of general jurisdiction in each county that has authority to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus, any offender charged with a felony will be tried in a court of general jurisdiction, although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended in certain instances to minor courts, such as municipal and county courts.

Although most offenders convicted of felony charges are disposed of by courts of general jurisdiction, not by any means all felony charges come before these courts. Many offenders arrested on felony charges are disposed of finally in minor courts, either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor which is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case, from the point of arrest or the filing of the first charge to final disposition, will they give an adequate picture of the administration of criminal justice.

There are wide differences from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. While most States have one court of general jurisdiction in each county, in some States special jurisdiction to dispose of felony offenses has been given to local courts that otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. In addition, however, the municipal courts of that State have been granted power to dispose of felony cases when the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both county and municipal courts in Vermont to obtain adequate coverage of the felony convictions in that State.

There may be a great deal of variation in the extent of jurisdiction possessed by the general trial courts even within a single State. Their

misdemeanor jurisdiction is essentially residual; that is, they may dispose of all types of cases not within the exclusive jurisdiction of a lower court. In metropolitan counties the lower courts handle the bulk of lesser offenses and felony cases only are tried in the general court. In rural counties, however, nearly all cases, felony and misdemeanor, come before the general trial court. There are, therefore, some very real difficulties in a comparative analysis of these statistics. For this reason, summary reports are limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics that would otherwise result from the widely differing jurisdiction of the reporting courts. No refinements of selection, however, will make up for the fact that these statistics do not embody the results of the early stages in the prosecution of felony cases.

METHODS OF COLLECTION

Tally-sheet method.—For most States, the judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. This provides for the tallying of all defendants disposed of during the year by offense and method of disposition and for the tallying of all persons convicted by offense for which convicted and sentence imposed. The 1942 data were collected by this tally-sheet method in 20 of the 25 States. In Pennsylvania a summary tally sheet was prepared from reports of the clerks and submitted to the Bureau by the Department of Welfare. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. Reports for the District of Columbia were prepared by the Administrative Office of the United States Courts.

The accuracy of the data reported on the tally sheets necessarily depends on the care with which clerks of court enter the tally marks in accordance with the instructions provided. General instructions are intended to apply to many jurisdictions; most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and they are asked to make these reports voluntarily without compensation or other assistance. For these reasons, the tally sheets are not always made out with the care desired.

The task of making up an annual tally sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform

within the same county and court, as new elected clerks may make changes in the data recorded in their books. The classification of cases according to offense and particular method of disposition or type of sentence, is quite difficult. Inasmuch as clerks may have different ideas on the proper classification of offenses there is undoubtedly a lack of uniformity in the data reported. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedule. Further, if errors have been made in the preparation of the report, there is no way to check or eliminate them except to repeat the entire process of compilation.

Case-card method.—In two of the States--Ohio and Minnesota--judicial criminal statistics are collected on the basis of individual-case reports. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collecting, editing, and clarifying of recorded data is done by a central statistical agency of the State, thus insuring uniform interpretation of the data reported. The cards are forwarded annually to the Bureau of the Census where they are coded and tabulated.

This method is far more flexible than the tally-sheet method because it makes possible more intensive analysis of the data collected and can quite easily be adapted to the particular record-keeping routines used by different clerks of court.

ANALYSIS OF 1942 DATA

General.—The 1942 report consists principally of summaries for each of the 25 cooperating States. For 24 States it was possible to present a 5-year comparison showing, by major offense, the number of defendants charged and convicted together with the rate per 100,000 of the population. For all 25 States the procedural outcome and type of sentence imposed are shown in 5-year comparison tables. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

Disposition and sentence, by States.—Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were disposed of without conviction, and the number and proportion convicted. The proportion of defendants disposed of without conviction ranged from 37.8 in Vermont to 2.6 in Rhode Island and conversely the proportion convicted ranged from 97.4 in Rhode Island to 62.2 in Vermont.

Table 1.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES, BY STATES: 1942

STATE	Defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED		STATE	Defend- ants disposed of	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED	
		Number	Per- cent	Number	Per- cent			Number	Per- cent	Number	Per- cent
Total, 25 States.	57,641	14,295	24.8	43,346	75.2	New Mexico.....	641	206	32.1	435	67.9
California.....	6,530	1,494	22.9	5,036	77.1	New York.....	8,779	2,152	24.5	6,627	75.5
Colorado.....	1,145	263	23.0	882	77.0	North Dakota.....	364	44	12.1	320	87.9
Connecticut ¹	860	96	11.2	764	88.8	Ohio.....	4,079	885	21.7	3,194	78.3
District of Columbia...	1,564	377	24.1	1,187	75.9	Oregon.....	578	75	13.0	503	87.0
Florida.....	311	92	29.6	219	70.4	Pennsylvania.....	14,309	4,414	30.8	9,895	69.2
Georgia.....	1,486	366	24.6	1,120	75.4	Rhode Island.....	468	12	2.6	456	97.4
Idaho.....	1,055	319	30.2	736	69.8	South Dakota.....	287	51	17.8	236	82.2
Illinois.....	2,825	579	20.5	2,246	79.5	Utah.....	362	108	29.8	254	70.2
Indiana.....	1,385	219	15.8	1,166	84.2	Vermont.....	410	155	37.8	255	62.2
Iowa.....	376	87	23.1	289	76.9	Washington.....	1,187	291	24.5	896	75.5
Maine.....	335	69	20.6	266	79.4	Wisconsin.....	2,247	421	18.7	1,826	81.3
Maryland.....	5,872	1,473	25.1	4,399	74.9	Wyoming.....	186	47	25.3	139	74.7

Statistics are for the year July 1, 1942, through June 30, 1943.

Table 2 shows the number and proportion of defendants disposed of without conviction for each of the three types of disposition, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions accounted for the great majority of defendants eliminated, ranging from 96.1 percent in Vermont to 53.2

percent in Pennsylvania.

It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants disposed of who were acquitted by jury ranged from 36.7 percent in Pennsylvania to 3.9 percent in Vermont.

Table 2.—DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1942

[Percent not shown where base is less than 50]

STATE	Defendants disposed of without conviction	DISMISSED AND OTHER NO-PENALTY		ACQUITTED--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total, 25 States.....	14,295	10,100	70.7	1,210	8.5	2,985	20.9
California.....	1,494	1,058	70.8	260	17.4	176	11.8
Colorado.....	263	189	71.9	-	-	74	28.1
Connecticut ²	96	79	82.3	13	13.5	4	4.2
District of Columbia.....	377	242	64.2	1	0.3	134	35.5
Florida.....	92	77	83.7	2	2.2	13	14.1
Georgia.....	366	335	91.5	5	1.4	26	7.1
Idaho.....	319	278	87.1	3	0.9	38	11.9
Illinois.....	579	367	63.4	67	11.6	145	25.0
Indiana.....	219	172	78.5	1	0.5	46	21.0
Iowa.....	87	70	80.5	4	4.6	13	14.9
Maine.....	69	62	89.9	2	2.9	5	7.2
Maryland.....	1,473	1,006	68.3	307	20.8	160	10.9
Mexico.....	206	166	80.6	1	0.5	39	18.9
New York.....	2,152	1,906	88.6	-	-	246	11.4
North Dakota.....	44	35	-	4	-	5	-
Ohio.....	885	707	79.9	75	8.5	103	11.6
Oregon.....	75	55	73.3	4	5.3	16	21.3
Pennsylvania.....	4,414	2,349	53.2	446	10.1	1,619	36.7
Rhode Island.....	12	6	-	-	-	6	-
South Dakota.....	51	38	74.5	1	2.0	12	23.5
Utah.....	108	80	74.1	1	0.9	27	25.0
Vermont.....	155	149	96.1	-	-	6	3.9
Washington.....	291	247	84.9	2	0.7	42	14.4
Wisconsin.....	421	385	91.4	11	2.6	25	5.9
Wyoming.....	47	42	-	-	-	5	-

Jury waived.

² Statistics are for the year July 1, 1942, through June 30, 1943.

Table 3 shows the number and proportion of convictions for each of the three types of conviction: (1) Pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. A plea of guilty was the most frequent method of reaching a conviction. The proportion of convictions resulting

from pleas of guilty ranged from 98.5 percent in Rhode Island to 67.3 in Utah. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted 29.9 percent of all convictions in Utah and 7.7 percent in Rhode Island.

Table 3.—DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY METHOD OF CONVICTION, BY STATES: 1942

STATE	Defendants convicted and sentenced	PLEADED GUILTY		FOUND GUILTY--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total, 25 States.....	86,719	30,203	82.3	2,819	7.7	3,697	29.9
California.....	5,036	4,188	83.2	469	9.3	379	29.9
Colorado.....	882	749	84.9	13	1.5	120	29.9
Connecticut ²	764	680	89.0	69	9.0	15	29.9
District of Columbia.....	1,187	905	76.2	-	-	282	29.9
Idaho.....	219	195	89.0	5	2.3	19	29.9
Iowa.....	1,120	1,076	96.1	16	1.4	28	29.9
Kansas.....	736	633	86.0	26	3.5	77	29.9
Massachusetts.....	2,246	1,908	85.0	143	6.4	195	29.9
Minnesota.....	1,166	1,089	93.4	5	0.4	72	29.9
Montana.....	289	258	89.3	8	2.8	23	29.9
New Hampshire.....	266	261	98.1	-	-	5	29.9
New Jersey.....	4,399	3,560	80.9	642	14.6	197	29.9
New Mexico.....	435	374	86.0	14	3.2	47	29.9
New York ³	-	-	-	-	-	-	29.9
North Dakota.....	320	306	95.6	2	0.6	12	29.9
Ohio.....	3,194	2,736	85.7	194	6.1	264	29.9
Oregon.....	503	467	92.8	6	1.2	30	29.9
Pennsylvania.....	9,895	7,275	73.5	913	9.2	1,707	29.9
Rhode Island.....	456	449	98.5	-	-	7	29.9
South Dakota.....	236	216	91.5	5	2.1	15	29.9
Utah.....	254	171	67.3	7	2.8	76	29.9
Vermont.....	255	211	82.7	30	11.8	14	29.9
Washington.....	896	824	92.0	2	0.2	70	29.9
Wisconsin.....	1,826	1,538	84.2	248	13.6	40	29.9
Wyoming.....	139	134	96.4	2	1.4	3	29.9

¹ Jury waived.

² Statistics are for the year July 1, 1942, through June 30, 1943.

³ Data not available.

Table 4 shows, for each of the 25 States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Kansas, 77.3 percent of the defendants sentenced for major offenses received a prison sentence, whereas, at the other end of the scale, the figures for Pennsylvania show only 17.1 percent of those convicted as sentenced to prison or death. This low figure reflects the fact that a considerable proportion of the defendants sentenced to confinement in Pennsylvania are sentenced to local jails or workhouses. Probation was used most

extensively in Rhode Island, where 76.3 percent were reported as being placed on probation given a suspended sentence. Rhode Island permits defendants to waive indictment by grand jury and plead nolo contendere. Such defendants very frequently receive a deferred sentence. Probation was used next most extensively in New Hampshire where 49.6 percent of the convicted defendants received this treatment. Kansas reported the least use of this type of sentence, with 11.4 percent.

Table 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY STATES: 1942

STATE	Defendants convicted and sentenced	PRISON OR REFORMATORY		PROBATION OR SUSPENDED SENTENCE		LOCAL JAIL OR WORKHOUSE		OTHER SENTENCE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 25 States.....	43,346	16,046	37.0	14,125	32.6	9,888	22.8	3,287	7.6
California.....	5,036	1,488	29.5	1,620	32.2	1,614	32.0	314	6.2
Colorado.....	882	580	65.8	213	24.1	61	6.9	28	3.2
Connecticut ²	764	260	34.0	207	27.1	271	35.5	26	3.4
District of Columbia.....	1,187	697	58.7	292	24.6	193	16.3	5	0.4
Illinois.....	219	135	61.6	48	21.9	30	13.7	6	2.7
Indiana.....	1,120	487	43.5	193	17.2	368	32.9	72	6.4
Iowa.....	736	569	77.3	84	11.4	74	10.1	9	1.2
Massachusetts.....	2,246	1,190	53.0	657	29.3	-	-	399	17.8
Minnesota.....	1,166	518	44.4	496	42.5	122	10.5	30	2.6
Mississippi.....	289	217	75.1	46	15.9	4	1.4	22	7.6
New Hampshire.....	266	69	25.9	132	49.6	52	19.5	13	4.9
New Jersey.....	4,399	1,505	34.2	1,672	37.9	309	18.4	413	9.4
New Mexico.....	435	236	54.3	131	30.1	26	6.0	42	9.7
New York.....	6,627	2,768	41.8	2,367	35.7	1,154	21.9	38	0.6
North Dakota.....	320	169	52.8	50	15.6	79	18.4	42	13.1
Ohio.....	3,194	1,456	45.6	1,443	45.2	225	7.1	70	2.2
Oklahoma.....	503	259	51.5	187	37.2	40	8.0	17	3.4
Pennsylvania.....	9,895	1,691	17.1	2,734	27.6	4,046	40.9	1,424	14.4
Rhode Island.....	456	85	18.6	348	76.3	19	4.1	4	0.9
South Dakota.....	236	151	64.0	44	18.6	37	15.7	4	1.7
Tennessee.....	254	134	52.8	85	33.5	18	7.1	17	6.7
Montana.....	255	98	38.4	77	30.2	35	13.7	45	17.6
Washington.....	896	495	55.2	239	26.7	142	15.8	20	2.2
Wisconsin.....	1,826	700	38.3	726	39.8	181	9.9	219	12.0
Wyoming.....	139	89	64.0	34	24.5	8	5.8	8	5.8

Includes 46 death sentences.

Statistics are for the year July 1, 1942, through June 30, 1943.

Includes defendants sentenced to local jail or workhouse, or to an institution for juvenile delinquents only.

Disposition and sentence, by offense.—In interpreting the data presented in tables 5 to which show disposition and sentence by offense for the 25 States combined, it must be remembered that a few States account for most of the cases reported, and consequently, the figures shown on these tables reflect, in large part, the practices followed in these States in regard to both disposition and sentence. Five States—Pennsylvania, New York, California, New Jersey, and Ohio—account for about 69 percent of the cases covered, while the other 20 States account for the remainder.

Table 5 shows the number of defendants disposed of in the 25 States and those disposed of without conviction as well as those convicted in each offense group. Burglary, auto theft, violating drug laws, and forgery and counterfeiting show in that order the highest proportions of convictions, while manslaughter aggravated assault show the lowest proportions.

Table 5.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES, BY OFFENSE: 1942

OFFENSE	Defendants disposed of	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED	
		Number	Percent	Number	Percent
Total.....	57,641	14,295	24.8	43,346	75.2
Murder.....	805	260	32.3	545	67.7
Manslaughter.....	1,275	361	44.0	714	56.0
Robbery.....	3,984	969	24.3	3,015	75.7
Aggravated assault.....	5,426	2,053	37.8	3,373	62.2
Burglary.....	9,969	1,608	16.1	8,361	83.9
Larceny, except auto theft ¹	11,573	2,516	21.7	9,057	78.3
Auto theft.....	4,549	754	16.6	3,795	83.4
Embezzlement and fraud....	2,932	1,054	35.9	1,878	64.1
Stolen property, receiving, etc.....	1,537	501	32.6	1,036	67.4
Forgery and counterfeiting	3,562	727	20.4	2,835	79.6
Rape.....	2,567	682	26.6	1,885	73.4
Commercialized vice.....	882	219	24.8	663	75.2
Other sex offenses.....	4,801	1,259	26.2	3,542	73.8
Violating drug laws.....	522	99	19.0	423	81.0
Carrying, etc., weapons....	1,490	355	23.8	1,135	76.2
Other major offenses.....	1,767	578	32.7	1,189	67.3

¹ Includes embezzlement and fraud in Massachusetts.

Table 6 shows, by offense, the number and percent of defendants disposed of without conviction in the 25 States for each of the three types of non-conviction disposition. Defendants charged with forgery and counterfeiting show the highest proportion of dispositions by dismissal and lowest proportion of acquittals by jury. Defendants charged with murder show the lowest proportion of dispositions by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, number and percent of defendants convicted sentenced in 24 States, by method of conviction. Forgery, auto theft, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty; and murder, aggravated assault, and manslaughter are those showing the lowest. Murder and manslaughter, however, show the highest proportions of convictions by verdict.

Table 6.—DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1942

OFFENSE	Defendants disposed of without conviction	DISMISSED AND OTHER NO-PENALTY		ACQUITTED--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total.....	14,295	10,100	70.7	1,210	8.5	2,985	
Murder.....	260	116	44.6	12	4.6	132	
Manslaughter.....	561	291	51.9	44	7.8	226	
Robbery.....	969	601	62.0	88	9.1	280	
Aggravated assault.....	2,053	1,207	58.8	257	12.5	589	
Burglary.....	1,608	1,264	78.6	80	5.0	264	
Larceny, except auto theft ²	2,516	1,974	78.5	193	7.7	349	
Auto theft.....	754	594	78.8	55	7.3	105	
Embezzlement and fraud.....	1,054	824	78.2	71	6.7	159	
Stolen property, receiving, etc.	501	290	57.9	69	13.8	142	
Forgery and counterfeiting.....	727	660	90.8	25	3.4	42	
Rape.....	882	584	66.2	66	7.5	232	
Commercialized vice.....	219	145	66.2	26	11.9	48	
Other sex offenses.....	1,159	810	69.9	127	11.0	222	
Violating drug laws.....	99	76	76.8	15	15.2	8	
Carrying, etc., weapons.....	355	219	61.7	57	16.1	79	
Other major offenses.....	578	445	77.0	25	4.3	108	

¹ Jury waived.

² Includes embezzlement and fraud in Massachusetts.

Table 7.—DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY METHOD OF CONVICTION, BY OFFENSE: 1942

OFFENSE	Defendants convicted and sentenced	PLEADED GUILTY		FOUND GUILTY--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total.....	*36,719	30,203	82.3	2,819	7.7	3,697	
Murder.....	457	222	48.6	46	10.1	189	
Manslaughter.....	597	398	66.7	43	7.2	156	
Robbery.....	2,428	1,716	70.7	183	7.5	529	
Aggravated assault.....	2,751	1,777	64.6	397	14.4	577	
Burglary.....	7,227	6,396	88.5	375	5.2	456	
Larceny, except auto theft ³	6,795	5,955	87.6	484	7.1	356	
Auto theft.....	3,185	2,864	89.9	159	5.0	162	
Embezzlement and fraud.....	1,877	1,645	87.6	114	6.1	118	
Stolen property, receiving, etc.	953	723	75.9	81	8.5	149	
Forgery and counterfeiting.....	2,683	2,546	94.9	83	3.1	54	
Rape.....	1,485	1,079	72.7	131	8.8	275	
Commercialized vice.....	645	463	71.8	79	12.2	103	
Other sex offenses.....	3,405	2,660	78.1	375	11.0	370	
Violating drug laws.....	399	300	75.2	78	19.5	21	
Carrying, etc., weapons.....	864	683	79.1	105	12.2	76	
Other major offenses.....	968	776	80.2	86	8.9	106	

¹ Jury waived.

² Excludes 6,627 defendants convicted in New York State.

³ Includes embezzlement and fraud in Massachusetts.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 25 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sentence. Of the 504 defendants shown in the table as receiving death or prison sentences for murder, 45 were given the death sentence.

Probation and suspended sentence were given most frequently to those defendants convicted of embezzlement and fraud, receiving stolen property, and auto theft. The offense groups showing the highest proportions of defendants sentenced to jail were those for violating drug laws and carrying weapons.

Table 8.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY OFFENSE: 1942

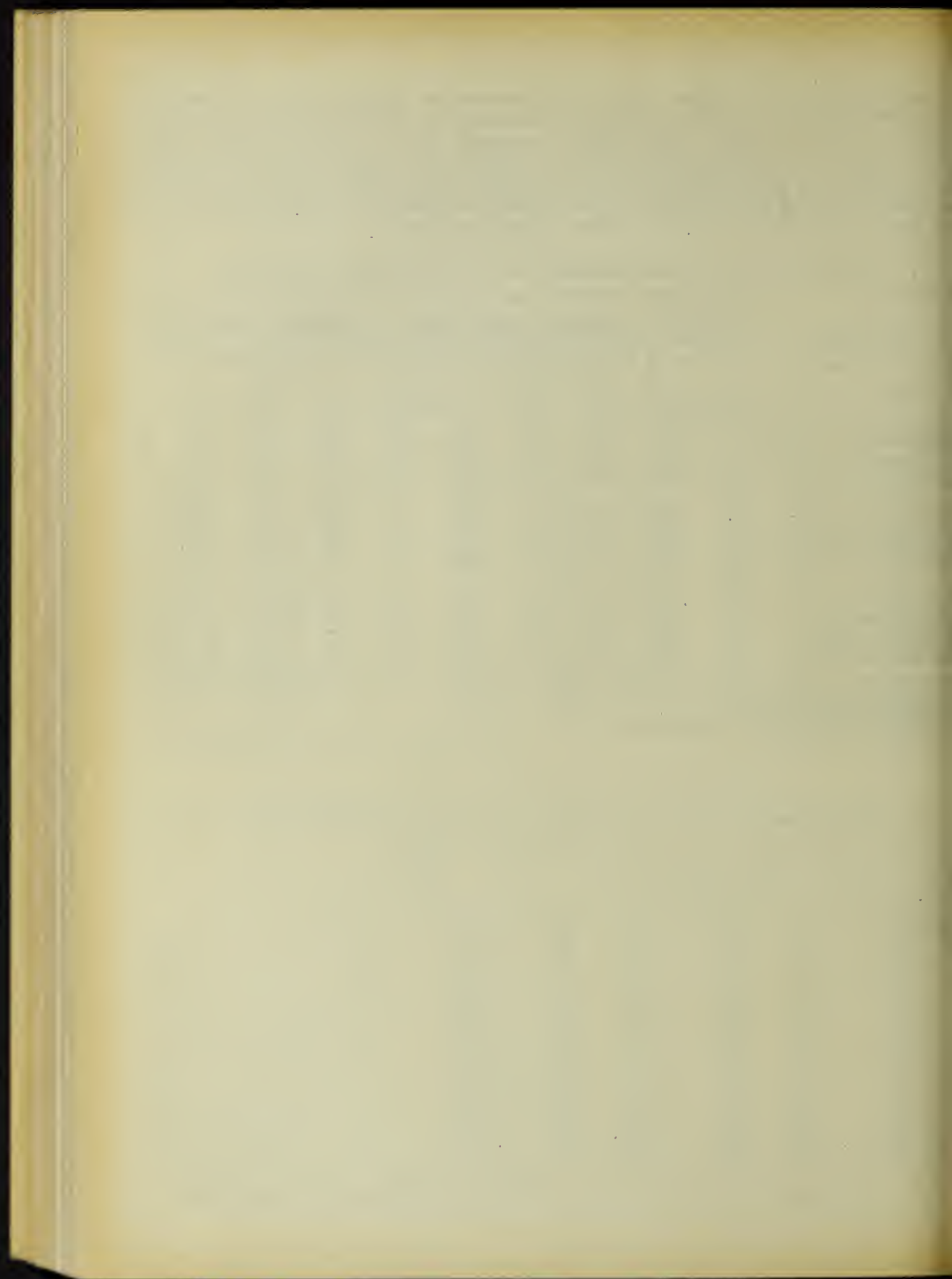
OFFENSE	Defendants convicted and sentenced	PRISON OR REFORMATORY		PROBATION OR SUSPENDED SENTENCE		LOCAL JAIL OR WORKHOUSE		OTHER SENTENCE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	43,346	¹ 16,046	37.0	14,125	32.6	9,888	22.8	3,287	7.6
Murder.....	545	² 504	92.5	8	1.5	25	4.6	8	1.5
Involuntary manslaughter.....	714	346	48.5	175	24.5	154	21.6	39	5.5
Robbery.....	3,015	2,043	67.8	437	14.5	436	14.5	99	3.3
Aggravated assault.....	3,373	1,042	30.9	932	27.6	1,160	34.4	239	7.1
Burglary.....	8,361	3,397	40.6	2,907	34.8	1,611	19.3	446	5.3
Larceny, except auto theft ³	9,057	2,645	29.2	3,444	38.0	2,282	25.2	686	7.6
Auto theft.....	3,795	1,302	34.3	1,550	40.8	737	19.4	206	5.4
Embezzlement and fraud.....	1,878	416	22.2	851	45.3	456	24.3	155	8.3
Receiving stolen property, etc..	1,036	202	19.5	450	43.4	287	27.7	97	9.4
Forgery and counterfeiting.....	2,835	1,201	42.4	962	33.9	554	19.5	118	4.2
Drugs.....	1,685	864	51.3	426	25.3	321	19.1	74	4.4
Commercialized vice.....	663	166	25.0	146	22.0	201	30.3	150	22.6
Other sex offenses.....	3,642	1,030	28.3	1,028	28.2	859	23.6	725	19.9
Violating drug laws.....	423	118	27.9	91	21.5	198	46.8	16	3.8
Carrying, etc., weapons.....	1,135	182	16.0	401	35.3	428	37.7	124	10.9
Other major offenses.....	1,189	⁴ 588	49.5	317	26.7	179	15.1	105	8.8

¹ Includes defendants sentenced to local jail or workhouse in Massachusetts.

² Includes 45 death sentences.

³ Includes embezzlement and fraud in Massachusetts.

⁴ Includes 1 death sentence.



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total of 6,530 defendants was disposed of for major offenses in the superior courts of California during calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 6,530 defendants, 5,036, or 77.1 percent, were convicted and sentenced; 1,620, or 32.2 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence, and 1,614, or 32.0 percent, were sentenced to a local jail or workhouse. Of these 1,620 defendants charged with major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 3,411, or 80.1 percent, were convicted; and 1,092 persons charged with major crimes against person (murder, manslaughter, aggravated assault, rape) 695, or 63.6 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 106.0 in 1938 to 106.0 in 1942. The rate for defendants convicted followed the same general trend, decreasing from 81.8 in 1938 to 81.8 in 1942. More defendants were disposed of for burglary than for any other offense in 1942, with auto theft following in second place, these two offenses groups together accounting for 29.8 percent of all major offenses dispositions. (See table 1.)

During the past 3 years and the year 1938, 79.3 percent of all defendants disposed of for major offenses were convicted. The percentage of defendants convicted decreased from 82.7 in 1938 to 77.1 in 1942. In 1942,

64.1 percent of all defendants entered a plea of guilty, whereas only 5.8 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the 4 years shown here, 32.5 percent were placed on probation or given a suspended sentence. The percentages for 1942 and 1938 fall below this figure, and the percentages for 1941 and 1940 were somewhat higher. Of all defendants convicted of major offenses during these 4 years, 33.1 percent were sentenced to a local jail or workhouse.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. This number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding 4 years (except 1939), are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcomes of dispositions for major offenses during the past 4 years (except 1939), while table 3 shows the type of sentences imposed on defendants who were convicted. Detailed data on procedural outcomes and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 58 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 42 counties, 85.7 percent; 1941, 37 counties, 71.8 percent; 1940, 29 counties, 68.5 percent; 1938, 37 counties, 39.3 percent. No reports were received for 1939.

OFFENSE	NUMBER				RATE PER 100,000 OF THE POPULATION			
	1942	1941	1940	1938	1942 ¹	1941 ¹	1940 ²	1938 ³
DEFENDANTS DISPOSED OF								
Total.....	6,530	6,355	5,873	3,586	106.0	125.4	124.1	137.3
Murder.....	122	77	89	61	2.0	1.5	1.9	2.3
Manslaughter.....	124	199	158	71	2.0	3.9	3.3	2.7
Burglary.....	566	600	625	291	9.2	11.8	13.2	11.1
Aggravated assault.....	469	363	317	177	7.6	7.2	6.7	6.8
Larceny.....	1,101	1,202	1,222	706	17.9	23.7	25.8	27.0
Auto theft, except auto theft.....	575	573	582	288	9.3	11.3	12.3	11.0
Auto theft.....	845	764	692	268	13.7	15.1	14.6	10.3
Embezzlement and fraud.....	205	210	331	461	3.3	4.1	7.0	17.6
Stolen property, receiving, etc.....	151	178	131	63	2.5	3.5	2.8	2.4
Forgery and counterfeiting.....	817	997	739	365	13.3	19.7	15.6	14.0
Counterfeiting.....	377	277	229	142	6.1	5.5	4.8	5.4
Major offenses.....	1,178	915	758	693	19.1	18.1	16.0	26.5
DEFENDANTS CONVICTED								
Total.....	5,036	5,010	4,705	2,967	81.8	98.9	99.4	113.6
Murder.....	78	37	52	47	1.3	0.7	1.1	1.8
Manslaughter.....	78	118	93	52	1.3	2.3	2.0	2.0
Burglary.....	397	387	441	216	6.4	7.6	9.3	8.3
Aggravated assault.....	296	259	220	127	4.8	5.1	4.6	4.9
Larceny.....	893	998	1,040	620	14.5	19.7	22.0	23.7
Auto theft, except auto theft.....	458	460	474	243	7.4	9.1	10.0	9.3
Auto theft.....	689	645	599	237	11.2	12.7	12.7	9.1
Embezzlement and fraud.....	170	180	287	377	2.8	3.6	6.0	14.4
Stolen property, receiving, etc.....	112	129	109	48	1.8	2.5	2.3	1.8
Forgery and counterfeiting.....	692	915	678	331	11.2	18.1	14.3	12.7
Counterfeiting.....	243	189	141	94	3.9	3.7	3.0	3.6
Major offenses.....	930	693	571	575	15.1	13.7	12.1	22.0

Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published.
were based on the Population census of 1940.
Based on Population census of 1940 for counties reporting.
Based on estimate of total population for counties reporting.

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Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

[No reports were received for 1939]

PROCEDURAL OUTCOME	1942		1941		1940		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	6,530	100.0	6,255	100.0	5,873	100.0	2,586	100.
Disposed of without conviction.....	1,494	22.9	1,345	21.2	1,168	19.9	619	27.
Dismissed.....	856	13.1	744	11.7	594	10.1	342	9.
Acquitted by court (jury waived).....	280	4.0	244	3.8	240	4.1	96	2.
Acquitted by jury.....	176	2.7	173	2.7	196	3.3	129	3.
Other no-penalty disposition.....	202	3.1	184	2.9	138	2.3	52	1.
Convicted and sentenced.....	5,036	77.1	5,010	78.8	4,705	80.1	2,967	88.
Pleading guilty.....	4,168	64.1	4,220	66.4	3,985	67.9	2,451	68.
Found guilty by court (jury waived).....	469	7.2	419	6.6	330	5.6	195	5.
Found guilty by jury.....	379	5.8	371	5.8	390	6.6	321	9.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[No reports were received for 1939]

SENTENCE	1942		1941		1940		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced.....	5,036	100.0	5,010	100.0	4,705	100.0	2,967	100.
Death penalty.....	9	0.2	5	0.1	10	0.2	7	0.
Prison or reformatory.....	1,479	29.4	1,452	29.0	1,407	29.9	947	31.
Probation or suspended sentence.....	1,620	32.2	1,816	36.2	1,600	34.0	722	24.
Local jail or workhouse.....	1,614	32.0	1,519	30.3	1,526	32.4	1,206	40.
Fine or costs only.....	114	2.3	56	1.1	42	0.9	21	0.
Institution for juvenile delinquents only.....	155	3.1	115	2.3	115	2.4	64	2.
Other sentence.....	45	0.9	47	0.9	4	0.1	-	-

Table 4. DISPOSITION IN SUPERIOR COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleading guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	8,399	1,983	1,094	391	207	241	6,466	5,352	681	433	6,466	9	1,525	2,529	1,956	232	164		
Major offenses.....	6,530	1,494	856	260	176	202	5,036	4,168	459	379	5,036	9	1,479	1,620	1,614	114	155		
Murder.....	122	44	14	5	21	4	78	34	8	36	73	9	64	2	1	-	1		
Manslaughter.....	124	46	26	9	11	-	78	39	12	27	78	-	43	22	12	1	-		
Robbery.....	566	169	89	40	22	18	397	273	51	73	397	-	246	57	47	1	43		
Aggravated assault.....	469	173	90	45	20	18	296	216	46	32	296	-	64	48	156	19	8		
Burglary.....	1,101	208	118	38	24	33	893	791	65	39	998	-	269	286	287	14	30		
Larceny, except auto theft.....	575	117	68	24	10	15	458	370	57	31	458	-	111	139	183	14	11		
Auto theft.....	845	156	103	14	8	31	689	629	36	24	689	-	130	305	201	9	38		
Embezzlement and fraud.....	205	35	26	5	-	4	170	138	10	2	170	-	35	86	48	-	-		
Stolen property, receiving, etc.....	151	39	21	8	6	4	112	92	16	4	112	-	11	62	35	2	2		
Forgery and counterfeiting.....	817	125	68	7	6	24	692	659	22	11	692	-	198	249	214	19	7		
Rape.....	377	134	72	25	24	13	243	184	27	32	243	-	72	101	56	4	6		
Commercialized vice.....	21	10	9	-	-	1	11	9	2	-	11	-	3	4	4	-	-		
Other sex offenses.....	562	103	51	17	9	25	460	378	51	31	460	-	114	183	144	10	1		
Violating drug laws.....	221	42	24	11	1	6	179	143	29	7	179	-	31	8	138	-	1		
Carrying, etc., weapons.....	126	27	13	5	6	3	99	84	11	4	99	-	8	10	72	9	-		
Other major offenses.....	248	67	44	12	8	3	181	129	26	26	181	-	80	59	16	12	12		
Abortion.....	16	3	1	1	1	-	13	7	3	3	13	-	7	5	1	-	-		
Arson.....	42	11	7	2	2	-	31	19	4	8	31	-	8	17	5	1	-		
Bribery.....	28	3	3	-	-	-	23	21	2	2	25	-	4	17	1	1	1		
Blackmail and extortion.....	9	3	1	2	-	-	6	5	1	-	6	-	3	2	-	1	-		
Escape and jail break.....	95	20	16	3	-	1	75	67	8	-	75	-	45	8	9	9	3		
Kidnaping.....	44	22	12	3	5	2	24	4	8	12	24	-	11	5	-	-	8		
Perjury.....	12	5	4	1	-	-	7	6	-	1	7	-	2	5	-	-	-		
Minor offenses ²	1,869	439	298	131	31	39	1,430	1,164	212	54	1,430	-	46	909	342	118	9		

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, and driving laws; and all other offenses generally classified as misdemeanors and are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

COLORADO

A total of 1,145 defendants were disposed of for major offenses in the district courts of Colorado during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,145 defendants, 882, or 77.0 percent, were convicted and sentenced; and 577, or 65.4 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 888 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 720, or 81.1 percent, were convicted; and of the 173 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 108, or 62.4 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 141.2 in 1938 to 105.1 in 1942, although there was an increase in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 116.3 in 1938 to 81.0 in 1942, with a slight increase in 1941. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups accounting for 48.3 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 78.9 percent of all defendants disposed of for major crimes were convicted. With the exception of a slight increase in 1940, the percent-

age convicted decreased from 82.3 in 1938 to 77.0 in 1942. In 1942, 65.4 percent of all defendants entered a plea of guilty, whereas only 10.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 65.3 percent were sentenced to a State prison or reformatory. The percentages for 1940 and 1939 fell below this amount, while those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 27.9 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 63 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, all counties, 100.0 percent; 1941, 59 counties, 99.1 percent; 1940, 59 counties, 99.2 percent; 1939 and 1938, 61 counties, 99.8 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	1,145	1,345	1,327	1,528	1,546	105.1	123.2	119.1	137.6	141.2
Murder.....	30	20	32	34	31	2.8	1.8	2.9	3.1	2.8
Manslaughter.....	26	31	32	29	26	2.4	2.8	2.9	2.6	2.4
Robbery.....	79	112	88	102	143	7.3	10.3	7.9	9.2	13.1
Aggravated assault.....	49	56	41	45	53	4.5	5.1	3.7	4.1	4.8
Burglary.....	260	277	294	347	381	23.9	25.4	26.4	31.3	34.8
Larceny, except auto theft.....	293	354	332	418	372	26.9	32.4	29.8	37.6	34.0
Auto theft.....	58	49	71	70	63	5.3	4.5	6.4	6.3	5.8
Embezzlement and fraud.....	133	164	187	148	179	12.2	15.0	16.8	13.3	16.3
Stolen property, receiving, etc.....	18	47	29	34	52	1.7	4.3	2.6	3.1	4.7
Forgery and counterfeiting.....	47	91	90	127	112	4.3	8.3	8.1	11.4	10.2
Perjury.....	68	71	76	101	76	6.2	6.5	6.8	9.1	6.9
Other major offenses.....	84	73	55	78	58	7.7	6.7	4.9	6.6	5.3
DEFENDANTS CONVICTED										
Total.....	882	1,037	1,054	1,194	1,273	81.0	95.0	94.6	107.5	116.3
Murder.....	22	14	13	17	16	2.0	1.3	1.2	1.5	1.5
Manslaughter.....	9	20	25	19	15	0.8	1.8	2.2	1.7	1.4
Robbery.....	56	97	79	88	117	5.1	8.9	7.1	7.9	10.7
Aggravated assault.....	30	35	23	27	35	2.8	3.2	2.1	2.4	3.2
Burglary.....	228	238	250	306	334	20.9	21.8	22.4	27.6	30.5
Larceny, except auto theft.....	243	275	265	329	310	22.3	25.2	23.8	29.6	28.3
Auto theft.....	48	40	60	58	55	4.4	3.7	5.4	5.2	5.0
Embezzlement and fraud.....	97	115	146	108	162	8.9	10.5	13.1	9.7	14.8
Stolen property, receiving, etc.....	11	32	24	33	43	1.0	2.9	2.2	3.0	3.9
Forgery and counterfeiting.....	37	78	83	109	98	3.4	7.1	7.4	9.8	9.0
Perjury.....	47	43	48	50	44	4.3	3.9	4.3	4.5	4.0
Other major offenses.....	54	50	38	50	44	5.0	4.6	3.4	4.5	4.0

¹ Based on estimate of civilian population of the State.² Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.³ Based on Population census of 1940 for counties reporting.⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--COLORADO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,145	100.0	1,345	100.0	1,327	100.0	1,528	100.0	1,546	100.0
Disposed of without conviction.....	263	23.0	308	22.9	273	20.6	334	21.9	273	17.7
Dismissed.....	181	15.8	204	15.2	202	15.2	243	15.9	168	10.9
Acquitted by court (jury waived).....	-	-	7	0.5	5	0.4	1	0.1	5	0.3
Acquitted by jury.....	74	6.5	60	4.5	49	3.7	78	5.1	74	4.8
Other no-penalty disposition.....	8	0.7	37	2.8	17	1.3	12	0.8	26	1.7
Convicted and sentenced.....	882	77.0	1,037	77.1	1,054	79.4	1,194	78.1	1,273	82.3
Pleaded guilty.....	749	65.4	932	69.3	956	72.0	1,065	69.7	1,098	70.9
Found guilty by court (jury waived).....	13	1.1	2	0.1	10	0.8	9	0.6	32	2.1
Found guilty by jury.....	120	10.5	103	7.7	88	6.6	120	7.9	148	9.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	882	100.0	1,037	100.0	1,054	100.0	1,194	100.0	1,273	100.0
Death penalty.....	3	0.3	-	-	1	0.1	5	0.4	4	0.3
Prison or reformatory.....	577	65.4	733	70.7	627	59.5	772	64.7	841	66.1
Probation or suspended sentence.....	213	24.1	265	25.6	371	35.2	348	29.1	321	25.2
Local jail or workhouse.....	61	6.9	34	3.3	39	3.7	51	4.3	63	4.9
Fine or costs only.....	26	2.9	4	0.4	12	1.1	15	1.3	34	2.7
Institution for juvenile delinquents only.	2	0.2	1	0.1	4	0.4	3	0.3	10	0.8
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	Total defendants disposed of	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS								SENTENCE FOR THOSE CONVICTED								
		Disposed of without conviction				Convicted and sentenced				Total	Death pen- alty	Prison or reforma- tory	Probation or suspended sentence	Local jail or work- house	Fine or costs only	Insti- tution for juvenile delin- quents only	Other	
		Total	Dis- missed	Acquitted--		Other no- pen- alty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹									By jury
All offensee.....	1,333	353	264	-	76	13	980	828	18	134	980	3	603	260	69	43	2	
Major offensee.....	1,145	263	181	-	74	8	862	749	13	120	862	3	577	213	61	26	2	
Murder.....	30	8	1	-	6	1	22	8	-	14	22	3	19	-	-	-	-	
Manslaughter.....	26	17	7	-	10	-	9	9	-	-	9	-	1	5	3	-	-	
Robbery.....	79	23	12	-	10	1	56	42	-	14	56	-	51	5	-	-	-	
Aggravated assault.....	49	19	16	-	2	1	30	20	1	9	30	-	7	5	16	2	-	
Burglary.....	260	32	23	-	7	2	228	203	8	17	228	-	156	55	8	8	1	
Larceny, except auto theft.	293	50	35	-	15	-	243	215	3	25	243	-	132	75	25	10	1	
Auto theft.....	58	10	9	-	1	-	48	43	1	4	48	-	37	6	2	3	-	
Embezzlement and fraud.....	133	36	23	-	12	1	97	84	-	13	97	-	69	25	2	1	-	
Stolen property, receiving, etc.....	18	7	5	-	2	-	11	8	-	3	11	-	8	2	1	-	-	
Forgery and counterfeiting.	47	10	10	-	-	-	37	35	-	2	37	-	27	10	-	-	-	
Rape.....	68	21	18	-	2	1	47	33	-	14	47	-	35	10	1	1	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offensee.....	46	13	9	-	3	1	33	31	-	2	33	-	25	8	-	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons....	4	-	-	-	-	-	4	4	-	-	4	-	-	1	2	1	-	
Other major offensee.....	34	17	13	-	4	-	17	14	-	3	17	-	10	6	1	-	-	
Abortion.....	11	4	2	-	2	-	7	4	-	3	7	-	3	3	1	-	-	
Arson.....	6	3	2	-	1	-	3	3	-	-	3	-	3	-	-	-	-	
Bigamy.....	4	1	1	-	-	-	3	3	-	-	3	-	-	3	-	-	-	
Blackmail and extortion..	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break....	3	1	-	-	1	-	2	2	-	-	2	-	2	-	-	-	-	
Kidnaping.....	8	6	6	-	-	-	2	2	-	-	2	-	2	-	-	-	-	
Perjury.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offensee ²	188	90	83	-	2	5	98	79	5	14	98	-	26	47	8	17	-	

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942-1943

CONNECTICUT

(Statistic are for the fiscal year ending June 30, 1943.)

A total of 860 defendants were disposed of for major offenses in the superior and common pleas courts of Connecticut during the fiscal year ending June 30, 1943, according to reports received by the Bureau of the Census from the clerks of court. Of these 860 defendants, or 88.8 percent, were convicted and sentenced; and or 33.5 percent, of the defendants convicted and sentenced were sentenced to a State prison or reformatory and 271, or 35.5 percent, were sentenced to a local jail or workhouse. Of the 427 defendants disposed of for major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 381, or 89.2 percent, were convicted; and of the 142 persons disposed of for crimes against the person (murder, manslaughter, aggravated assault, and rape) 117, or 82.4 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 61.6 in 1938-1939 to 48.7 in 1942-1943, although there was a slight increase in 1941-1942. The rate for defendants convicted of major offenses followed the same general trend. There were 166 defendants disposed of for burglary and 69 defendants disposed of for larceny during the fiscal year ending on June 30, 1943, the two offense groups together accounting for 27.3 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 87.2 percent of all defendants disposed of for major crimes were convicted. This percentage was 84.8 in 1938-1939, 88.4 in 1939-1940,

86.6 in 1940-1941, 87.7 in 1941-1942, and 88.8 in 1942-1943. In 1942-1943, 79.1 percent of all defendants entered a plea of guilty, whereas only 1.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 32.7 percent were sentenced to a State prison or reformatory and 34.3 percent were sent to a local jail or workhouse. Only 2.9 percent of all defendants convicted of major offenses during the past 5 years were fined or charged with costs only, while 29.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the fiscal year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the fiscal year ending in 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in the year ending June 30, 1943, are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
(Statistics shown by fiscal year and not calendar year. Thus, figures for "1942-1943" are for the fiscal year ending June 30, 1943)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942-1943	1941-1942	1940-1941	1939-1940	1938-1939	1942-1943 ¹	1941-1942 ¹	1940-1941 ²	1939-1940 ³	1938-1939 ³
DEFENDANTS DISPOSED OF										
Total.....	860	959	901	954	1,029	48.7	55.0	52.7	56.4	61.6
murder.....	13	10	9	3	10	0.7	0.6	0.5	0.2	0.6
manslaughter.....	33	47	45	33	36	1.9	2.7	2.6	2.0	2.2
robbery.....	69	73	66	91	64	3.9	4.2	3.9	5.4	3.8
aggravated assault.....	36	40	25	38	30	2.0	2.3	1.5	2.2	1.8
burglary.....	166	175	189	244	292	9.4	10.0	11.1	14.4	17.5
larceny, except auto theft.....	67	94	86	82	94	3.8	5.4	5.0	4.9	5.6
auto theft.....	41	97	82	71	62	2.3	5.6	4.8	4.2	3.7
embezzlement and fraud.....	62	43	68	77	71	3.5	2.5	4.0	4.6	4.2
stolen property, receiving, etc.....	11	22	12	13	16	0.6	1.3	0.7	0.8	1.0
forgery and counterfeiting.....	11	19	23	15	22	0.6	1.1	1.3	0.9	1.3
other major offenses.....	60	85	83	60	80	3.4	4.9	4.9	3.6	4.8
Total.....	291	254	213	227	252	16.5	14.6	12.5	13.4	15.1
DEFENDANTS CONVICTED										
Total.....	764	841	780	843	873	43.3	48.3	45.6	49.9	52.2
murder.....	12	10	8	3	7	0.7	0.6	0.5	0.2	0.4
manslaughter.....	27	36	28	20	23	1.5	2.1	1.6	1.2	1.4
robbery.....	57	62	58	82	57	3.2	3.6	3.4	4.9	3.4
aggravated assault.....	32	38	21	36	25	1.8	2.2	1.2	2.1	1.5
burglary.....	155	165	172	227	271	8.8	9.5	10.1	13.4	16.2
larceny, except auto theft.....	52	77	74	70	78	2.9	4.4	4.3	4.1	4.7
auto theft.....	40	87	78	68	59	2.3	5.0	4.6	4.0	3.5
embezzlement and fraud.....	56	36	60	68	61	3.2	2.1	3.5	4.0	3.7
stolen property, receiving, etc.....	10	17	10	13	13	0.6	1.0	0.6	0.8	0.8
forgery and counterfeiting.....	11	18	21	14	19	0.6	1.0	1.2	0.8	1.1
other major offenses.....	46	79	64	51	73	2.6	4.5	3.7	3.0	4.4
Total.....	266	216	186	191	187	15.1	12.4	10.9	11.3	11.2

Based on estimate of civilian population of the State. Rates for 1941-1942 differ, therefore, from rates previously published which were based on the Population Census of 1940.

Based on Population Census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--CONNECTICUT

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

[Statistics shown are for fiscal years. See headnote on table 1]

PROCEDURAL OUTCOME	1942-1943		1941-1942		1940-1941		1939-1940		1938-1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	860	100.0	959	100.0	901	100.0	954	100.0	1,029	100.0
Disposed of without conviction.....	96	11.2	118	12.3	121	13.4	111	11.6	156	15
Dismissed.....	71	8.3	96	10.0	90	10.1	91	9.5	140	13
Acquitted by court (jury waived).....	13	1.5	10	1.0	12	1.3	11	1.2	12	1
Acquitted by jury.....	4	0.5	7	0.7	4	0.4	5	0.5	1	0
Other no-penalty disposition.....	8	0.9	5	0.5	15	1.7	4	0.4	3	0
Convicted and sentenced.....	764	88.8	841	87.7	780	86.6	843	88.4	873	84
Fleeced guilty.....	680	79.1	786	82.0	721	80.0	755	79.1	821	79
Found guilty by court (jury waived).....	69	8.0	40	4.2	42	4.7	54	5.7	36	3
Found guilty by jury.....	15	1.7	15	1.6	17	1.9	34	3.6	16	1

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

[Statistics shown are for fiscal years. See headnote on table 1]

SENTENCE	1942-1943		1941-1942		1940-1941		1939-1940		1938-1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	764	100.0	841	100.0	780	100.0	843	100.0	873	100.0
Death penalty.....	4	0.5	1	0.1	-	-	-	-	2	0
Prison or reformatory.....	256	33.5	288	34.2	230	29.5	318	37.1	255	29
Probation or suspended sentence.....	207	27.1	231	27.5	250	32.1	233	27.6	297	34
Local jail or workhouse.....	271	35.5	295	35.1	265	34.0	271	32.1	304	34
Fine or costs only.....	24	3.1	26	3.1	26	3.3	26	3.1	15	1
Institution for juvenile delinquents only.	2	0.3	-	-	9	1.2	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN SUPERIOR AND COMMON PLEAS COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942-1943

[Statistics shown are for fiscal years. See headnote on table 1]

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentenced
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	1,370	275	216	30	10	19	1,095	951	120	24	1,095	4	274	289	363	162	-	3	-
Major offenses.....	860	96	71	13	4	8	764	680	69	15	764	4	256	207	271	24	-	2	-
Murder.....	13	1	1	-	-	-	12	7	2	3	12	4	8	-	-	-	-	-	-
Manslaughter.....	33	6	3	1	2	-	27	24	3	-	27	-	10	3	8	5	1	-	-
Robbery.....	69	12	10	2	-	-	57	54	3	-	57	-	34	9	14	-	-	-	-
Aggravated assault.....	36	4	4	-	-	-	32	25	5	2	32	-	11	5	16	-	-	-	-
Burglary.....	166	11	11	-	-	-	155	148	3	4	155	-	67	48	40	-	-	-	-
Larceny, except auto theft.	67	15	8	5	-	2	52	44	8	-	52	-	10	17	23	2	-	-	-
Auto theft.....	41	1	-	1	-	-	40	38	1	1	40	-	5	28	6	1	-	-	-
Embezzlement and fraud.....	62	6	5	-	-	1	56	52	4	-	56	-	8	12	39	2	-	-	-
Stolen property, receiving, etc.....	11	1	1	-	-	-	10	10	-	-	10	-	1	2	7	-	-	-	-
Forgery and counterfeiting.....	11	-	-	-	-	-	11	11	-	-	11	-	4	2	5	-	-	-	-
Rape.....	60	14	10	2	1	1	46	36	9	1	46	-	20	14	12	-	-	-	-
Commercialized vice.....	9	-	-	-	-	-	9	6	3	-	9	-	2	-	6	1	-	-	-
Other sex offenses.....	225	25	18	2	1	4	200	174	23	3	200	-	61	57	69	12	1	-	-
Violating drug laws.....	5	-	-	-	-	-	5	5	-	-	5	-	1	1	3	-	-	-	-
Carrying, etc., weapons.....	4	-	-	-	-	-	4	4	-	-	4	-	-	-	4	-	-	-	-
Other major offenses.....	48	-	-	-	-	-	48	42	5	1	48	-	19	9	19	1	-	-	-
Abortion.....	2	-	-	-	-	-	2	2	-	-	2	-	-	1	-	1	-	-	-
Arson.....	14	-	-	-	-	-	14	11	3	-	14	-	9	2	3	-	-	-	-
Sigamy.....	9	-	-	-	-	-	9	8	1	-	9	-	1	3	5	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	15	-	-	-	-	-	15	13	1	1	15	-	8	1	6	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	8	-	-	-	-	-	8	8	-	-	8	-	1	2	5	-	-	-	-
Minor offenses ²	510	179	145	17	6	11	331	271	51	9	331	-	18	82	92	138	1	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

DISTRICT OF COLUMBIA

A total of 1,564 defendants were charged with major offenses and disposed of in the District Court of the District of Columbia during the calendar year 1942, according to reports received by the Bureau of the Census from the Administrative Office of the United States Courts. Of these 1,564 defendants, 1,187, or 75.9 percent, were convicted and sentenced; and 697, or 44.6 percent, of the defendants convicted and sentenced were sentenced to a reformatory and 292, or 24.6 percent, were placed on probation or given a suspended sentence. Of the 1,131 defendants charged with major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 892, or 78.9 percent, were convicted; and of the 368 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 248, or 67.4 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 280.4 in 1938 to 202.2 in 1940, and in 1941, increased to 222.0. Even though the total for 1942 includes some defendants charged with major offenses, but convicted of minor offenses, the rate for that year dropped to 190.4. Likewise, the rate for defendants convicted showed a continuous decline from 203.2 in 1938 to 144.5 in 1942. Among the defendants charged with major offenses and disposed of in 1942, there were more defendants charged with aggravated assault than with any other offense, with robbery following in second place, and the two offense groups together accounting for 34.4 percent of the total. (See table 1.)

During the 4 years prior to 1942, 74.2 percent of all defendants disposed of for major offenses were convicted. In 1942, 75.9 percent of all defendants charged with major offenses were convicted; 57.9 percent entered a plea of guilty and 18.0 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the 4 years prior to 1942, 61.1 percent were sentenced to a reformatory, and 11.0 percent were sentenced to a local jail or workhouse. The corresponding percentages for defendants charged with major offenses and disposed of in 1942 were 58.7 and 16.3.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. For the year 1942, a defendant charged with more than one offense was assigned to the most serious offense of which charged. For the years 1938 to 1941, a defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942 ¹	1941	1940	1939	1938	1942 ²	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	1,564	1,645	1,341	1,520	1,788	190.4	222.0	202.2	231.0	280.4
Murder.....	28	21	15	16	26	3.4	2.8	2.3	2.4	4.1
Manslaughter.....	20	42	21	33	57	2.4	5.7	3.2	5.0	8.9
Burglary.....	264	262	209	261	313	32.1	35.4	31.5	39.7	49.1
Aggravated assault.....	274	219	139	143	168	33.4	29.6	21.0	21.7	26.3
Larceny.....	239	287	339	300	317	29.1	38.7	51.1	45.6	49.7
Larceny, except auto theft.....	216	201	145	171	200	26.3	27.1	21.9	26.0	31.4
Auto theft.....	219	271	173	155	205	26.7	36.6	26.1	23.6	32.1
Embezzlement and fraud.....	94	97	65	113	164	11.4	13.1	9.8	17.2	25.7
Stolen property, receiving, etc.....	26	36	44	45	51	3.2	4.9	6.6	6.8	8.0
Forgery and counterfeiting.....	73	87	68	81	106	8.9	11.7	10.3	12.3	16.6
Sex offenses.....	46	59	28	28	72	5.6	8.0	4.2	4.3	11.3
Other major offenses.....	65	63	95	174	109	7.9	8.5	14.3	26.4	17.1
DEFENDANTS CONVICTED										
Total.....	1,187	1,144	1,088	1,145	1,296	144.5	154.4	164.1	174.0	203.2
Murder.....	26	13	9	8	13	3.2	1.8	1.4	1.2	2.0
Manslaughter.....	12	26	15	27	44	1.5	3.5	2.3	4.1	6.9
Burglary.....	190	147	160	199	211	23.1	19.8	24.1	30.2	33.1
Aggravated assault.....	186	131	101	99	127	22.6	17.7	15.2	15.0	19.9
Larceny.....	202	226	309	261	272	24.6	30.5	46.6	39.7	42.7
Larceny, except auto theft.....	165	162	123	144	147	20.1	21.9	18.5	21.9	23.1
Auto theft.....	175	231	147	117	162	21.3	31.2	22.2	17.8	25.4
Embezzlement and fraud.....	74	49	48	49	78	9.0	6.6	7.2	7.4	12.2
Stolen property, receiving, etc.....	20	24	26	23	30	2.4	3.2	3.9	3.5	4.7
Forgery and counterfeiting.....	66	74	59	71	92	8.0	10.0	8.9	10.8	14.4
Sex offenses.....	24	25	21	18	42	2.9	3.4	3.2	2.7	6.6
Other major offenses.....	47	36	70	129	78	5.7	4.9	10.6	19.6	12.2

¹ Includes defendants charged with major offenses but convicted of minor offenses.

² Based on estimate of civilian population of the District of Columbia. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population of the District of Columbia.

JUDICIAL CRIMINAL STATISTICS--DISTRICT OF COLUMBIA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942 ¹		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,564	100.0	1,645	100.0	1,341	100.0	1,520	100.0	1,788	100.0
Disposed of without conviction.....	377	24.1	501	30.5	253	18.9	375	24.7	492	27.5
Dismissed.....	242	15.5	284	17.3	162	12.1	250	16.4	327	18.3
Acquitted by court (jury waived).....	1	0.1	34	2.1	35	2.6	3	0.2	7	0.4
Acquitted by jury.....	134	8.6	173	10.5	52	3.9	107	7.0	154	8.6
Other no-penalty disposition.....	-	-	10	0.6	4	0.3	15	1.0	4	0.2
Convicted and sentenced.....	1,187	75.9	1,144	69.5	1,088	81.1	1,145	75.3	1,296	72.5
Pleaded guilty.....	905	57.9	892	54.2	914	68.2	955	62.8	1,069	59.8
Found guilty by court (jury waived).....	-	-	8	0.5	2	0.1	1	0.1	4	0.2
Found guilty by jury.....	282	18.0	244	14.8	172	12.8	189	12.4	223	12.5

¹ Includes defendants charged with major offenses but convicted of minor offenses.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942 ¹		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	1,187	100.0	1,144	100.0	1,088	100.0	1,145	100.0	1,296	100.0
Death penalty.....	-	-	6	0.5	1	0.1	1	0.1	1	0.1
Prison or reformatory.....	697	58.7	702	61.4	679	62.4	697	60.9	776	59.9
Probation or suspended sentence.....	292	24.6	293	25.6	297	27.3	338	29.5	349	26.9
Local jail or workhouse.....	193	16.3	137	12.0	108	9.9	104	9.1	167	12.9
Fine or costs only.....	5	0.4	6	0.5	3	0.3	5	0.4	3	0.2
Institution for juvenile delinquents only.	-	-	-	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

¹ Includes defendants charged with major offenses but convicted of minor offenses.

Table 4. DISPOSITION IN THE DISTRICT COURT OF DEFENDANTS FOR ALL OFFENSES: 1942

[Defendants classified by offense charged]

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	1,848	480	297	1	182	-	1,368	1,059	-	309	1,368	-	734	368	235	11	-
Major offenses.....	1,564	377	242	1	134	-	1,187	905	-	282	1,187	-	697	292	193	5	-
Murder.....	28	2	1	-	1	-	26	16	-	10	26	-	26	-	-	-	-
Manslaughter.....	20	8	5	-	3	-	12	5	-	7	12	-	7	2	3	-	-
Robbery.....	264	74	42	-	32	-	190	117	-	73	190	-	133	37	20	-	-
Aggravated assault.....	274	88	43	1	44	-	186	112	-	74	186	-	99	41	46	-	-
Burglary.....	239	37	28	-	9	-	202	170	-	32	202	-	132	45	25	-	-
Larceny, except auto theft.	216	51	40	-	11	-	165	137	-	28	165	-	81	56	28	-	-
Auto theft.....	219	44	28	-	16	-	175	155	-	20	175	-	86	48	41	-	-
Embezzlement and fraud.....	94	20	15	-	5	-	74	64	-	10	74	-	39	20	11	4	-
Stolen property, receiving, etc.....	26	6	3	-	3	-	20	17	-	3	20	-	9	8	3	-	-
Forgery and counterfeiting.....	73	7	7	-	-	-	66	64	-	2	66	-	33	23	10	-	-
Rape.....	46	22	14	-	8	-	24	15	-	9	24	-	16	5	3	-	-
Commercialized vice.....	3	2	2	-	-	-	1	-	-	1	1	-	1	-	-	-	-
Other sex offenses.....	8	4	4	-	-	-	4	1	-	3	4	-	4	-	-	-	-
Violating drug laws.....	32	9	7	-	2	-	23	19	-	4	23	-	17	4	1	1	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	22	3	3	-	-	-	19	13	-	6	19	-	14	3	2	-	-
Abortion.....	6	1	1	-	-	-	5	2	-	3	5	-	5	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bigamy.....	6	1	1	-	-	-	5	4	-	1	5	-	3	2	-	-	-
Blackmail and extortion.....	5	1	1	-	-	-	4	4	-	-	4	-	4	-	-	-	-
Escape and jail break.....	3	-	-	-	-	-	3	2	-	1	3	-	-	1	2	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	-	-	-	2	1	-	1	2	-	2	-	-	-	-
Minor offenses ²	284	103	55	-	48	-	181	154	-	27	181	-	37	96	42	6	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

February 24, 1944

JUDICIAL CRIMINAL STATISTICS: 1942

IDAHO

A total of 311 defendants were disposed of for major offenses in the district courts of Idaho during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 311 defendants, 219, or 70.4 percent, were convicted and sentenced; and 135, or 61.6 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 240 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 178, or 74.2 percent, were convicted; and of the 45 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 27 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 115.1 in 1939 to 67.2 in 1942. Likewise, the rate for defendants convicted showed a decline from 98.8 in 1939 to 47.3 in 1942. Among the defendants disposed of for major offenses during 1942, there were more defendants disposed of for forgery or counterfeiting than for any other offense, with burglary following in second place, and the two offense groups together accounting for 49.5 percent of all major offense dispositions. (See table 1.)

During the past five years, 81.2 percent of all defendants disposed of for major offenses were convicted; in 1938, 83.1 percent of the defendants were convicted;

in 1939, 85.9 percent; in 1940, 82.1 percent; in 1941, 79.2 percent; and in 1942, 70.4 percent. In 1942, 62.7 percent of all defendants entered a plea of guilty, whereas only 6.1 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past five years, 55.6 percent were sentenced to a State prison or reformatory. The percentages for 1940 and 1941 fell below this figure, and the percentages for the remaining years were somewhat higher.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding four years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past five years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics for all years except 1942 based on reports for all of the 44 counties of the State. Statistics for 1942 based on reports from 42 counties which contained 97.1 percent of the 1940 population of the State]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	311	428	576	594	510	67.2	86.3	109.7	115.1	101.3
Murder.....	10	6	9	11	10	2.2	1.2	1.7	2.1	2.0
Manslaughter.....	7	12	15	14	10	1.5	2.4	2.9	2.7	2.0
Robbery.....	24	17	32	17	23	5.2	3.4	6.1	3.3	4.6
Aggravated assault.....	13	14	26	22	21	3.2	2.8	5.0	4.3	4.2
Burglary.....	69	113	155	171	133	14.9	22.8	29.5	33.1	26.4
Larceny, except auto theft.....	42	61	83	110	71	9.1	12.3	15.8	21.3	14.1
Auto theft.....	11	25	9	5	18	2.4	5.0	1.7	1.0	3.6
Embezzlement and fraud.....	8	19	21	15	33	1.7	3.8	4.0	2.9	6.6
Stolen property, receiving, etc.....	1	9	9	16	13	0.2	1.8	1.7	3.1	2.6
Forgery and counterfeiting.....	85	108	154	152	131	18.4	21.8	29.3	29.5	26.0
Other major offenses.....	13	16	33	23	17	2.8	3.2	6.3	4.5	3.4
	26	28	30	38	50	5.6	5.6	5.7	7.4	6.0
DEFENDANTS CONVICTED										
Total.....	219	339	473	510	424	47.3	58.3	90.1	98.8	84.2
Murder.....	5	6	8	7	5	1.1	1.2	1.5	1.4	1.0
Manslaughter.....	6	8	8	11	6	1.3	1.6	1.5	2.1	1.2
Robbery.....	17	15	30	14	18	3.7	3.0	5.7	2.7	3.6
Aggravated assault.....	8	9	18	17	18	1.7	1.8	3.4	3.3	3.6
Burglary.....	55	95	134	157	118	11.9	19.1	25.5	30.4	23.4
Larceny, except auto theft.....	27	49	73	97	58	5.8	9.9	13.9	18.8	11.5
Auto theft.....	6	17	7	4	18	1.3	3.4	1.3	0.8	3.6
Embezzlement and fraud.....	7	12	13	11	18	1.5	2.4	2.5	2.1	3.6
Stolen property, receiving, etc.....	1	7	8	9	11	0.2	1.4	1.5	1.7	2.2
Forgery and counterfeiting.....	65	89	130	138	122	14.0	17.9	24.8	26.7	24.2
Other major offenses.....	8	9	24	16	11	1.7	1.8	4.6	3.1	2.2
	14	23	20	29	21	3.0	4.6	3.8	5.6	4.2

¹ Based on estimate of civilian population for counties reporting.

² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--IDAHO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	311	100.0	428	100.0	576	100.0	594	100.0	510	100.0
Disposed of without conviction.....	92	29.6	89	20.8	103	17.9	84	14.1	86	16.9
Dismissed.....	66	21.2	72	16.8	83	14.4	61	10.3	65	12.7
Acquitted by court (jury waived).....	2	0.6	-	-	-	-	-	-	6	1.2
Acquitted by jury.....	13	4.3	8	1.9	16	2.8	16	2.7	18	3.5
Other no-penalty disposition.....	11	3.5	9	2.1	4	0.7	7	1.2	2	0.4
Convicted and sentenced.....	219	70.4	339	79.2	473	82.1	510	85.9	424	83.1
Fleeced guilty.....	195	62.7	296	69.2	413	71.7	475	80.0	379	74.3
Found guilty by court (jury waived).....	6	1.6	8	0.7	16	2.8	5	0.8	18	3.5
Found guilty by jury.....	19	6.1	40	9.3	44	7.6	30	5.1	33	6.4

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	219	100.0	339	100.0	473	100.0	510	100.0	424	100.0
Death penalty.....	-	-	-	-	1	0.2	-	-	-	-
Prison or reformatory.....	135	61.6	179	52.8	245	51.8	292	57.3	241	56.8
Probation or suspended sentence.....	43	21.9	81	23.9	132	27.9	189	37.1	94	22.2
Local jail or workhouse.....	30	13.7	67	19.8	85	17.5	76	14.9	79	18.6
Fine or costs only.....	2	0.9	3	0.9	1	0.2	1	0.2	2	0.5
Institution for juvenile delinquents only.	3	1.4	8	2.4	11	2.3	2	0.4	9	2.1
Other sentence.....	1	0.5	1	0.3	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only
		Total	Dismissed	Acquitted--		Other so-called	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	372	126	99	2	14	11	246	216	9	21	246	-	141	51	33	17	3	
Major offenses.....	311	98	66	2	13	11	219	195	6	19	219	-	136	48	30	2	3	
Murder.....	10	5	-	-	5	-	5	-	1	4	5	-	5	-	-	-	-	
Manslaughter.....	7	1	-	-	1	-	6	2	-	4	6	-	3	2	-	-	-	
Robbery.....	24	7	6	-	-	1	17	13	1	3	17	-	12	3	-	-	2	
Aggravated assault.....	16	7	6	-	1	1	8	6	1	2	8	-	6	-	1	1	-	
Burglary.....	69	14	12	1	-	1	55	53	-	2	55	-	38	14	8	-	1	
Larceny, except auto theft.....	43	15	19	1	-	1	37	27	-	-	27	-	19	3	5	-	-	
Auto theft.....	11	5	5	-	-	-	6	6	-	-	6	-	4	1	1	-	-	
Embezzlement and fraud.....	8	1	-	-	-	1	7	6	-	1	7	-	4	1	2	-	-	
Stolen property, receiving, etc.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	
Forgery and counterfeiting.....	85	20	16	-	1	3	65	62	2	1	65	-	34	21	10	-	-	
Rape.....	13	6	2	-	3	-	8	6	-	2	8	-	8	-	-	-	-	
Commercialized vice.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	9	1	1	-	-	-	8	8	-	-	8	-	6	2	1	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	8	5	3	-	-	2	3	3	-	-	3	-	-	-	2	1	-	
Other major offenses.....	8	5	2	-	2	1	3	3	-	-	3	-	3	-	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
Bribery.....	3	1	-	-	-	1	3	2	-	-	2	-	3	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	3	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	2	2	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	61	34	33	-	1	-	27	21	4	2	37	-	6	3	3	15	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors but usually tried in minor courts.

7-7732

JUDICIAL CRIMINAL STATISTICS: 1942

IOWA

A total of 1,486 defendants were disposed of for major offenses in the district courts of Iowa during the calendar year 1942, according to reports received from the clerk of court by the Bureau of the Census. Of these 1,486 defendants, 1,120, or 75.4 percent, were convicted and sentenced; and 487, or 43.5 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 1,119 defendants disposed of for crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 861, or 76.9 percent, were convicted; and of the 129 persons disposed of for crimes against the person (murder, manslaughter, aggravated assault, and rape) 77, or 59.7 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 85.6 in 1938 to 92.5 in 1939, and then decreased steadily to 71.4 in 1942. The rate for defendants convicted of major offenses followed the same general trend, increasing from 68.3 in 1938 to 71.4 in 1939, and declining to 45.8 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with forgery and counterfeiting following in second place, and the two offenses together accounting for 45.8 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 77.5 percent of all defendants disposed of for major crimes were convicted. In 1938, 79.8 percent of the defendants were convicted; in

1939, 77.2 percent; in 1940, 77.3 percent; in 1941, 77.7 percent; and in 1942, 75.4 percent. In 1942, 72.4 percent of all defendants entered a plea of guilty, whereas only 1.9 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 42.2 percent were sentenced to a State prison or reformatory. The percentages for 1939, 1940, and 1941 fell below this figure, and the percentages for 1938 and 1942 were somewhat higher. Only 17.9 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 99 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 1941, and 1940, all counties, 100.0 percent; 1939, 85 counties, 80.6 percent; 1938, 81 counties, 77.2 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	1,486	1,890	2,195	1,875	1,641	60.8	76.2	86.5	92.5	85.6
Murder.....	16	19	17	15	20	0.7	0.8	0.7	0.7	1.0
Manslaughter.....	12	22	20	20	18	0.5	0.9	0.8	1.0	0.9
Burglary.....	41	66	67	63	53	1.7	2.7	2.6	3.1	2.8
Aggravated assault.....	51	81	69	85	71	2.1	3.3	2.7	4.2	3.7
Larceny.....	169	229	300	254	203	6.9	9.2	11.8	12.5	10.6
Larceny, except auto theft.....	412	567	588	482	492	16.9	22.8	23.2	23.8	25.7
Auto theft.....	105	119	161	142	107	4.3	4.8	6.3	7.0	5.6
Embezzlement and fraud.....	101	164	233	232	146	4.1	6.6	9.2	11.4	7.6
Stolen property, receiving, etc.....	22	24	33	22	45	0.9	1.0	1.3	1.1	2.3
Forgery and counterfeiting.....	269	289	311	240	221	11.0	11.6	12.3	11.8	11.5
.....	50	86	48	53	36	2.0	1.5	1.9	2.6	1.9
For major offenses.....	238	274	348	267	229	9.7	11.0	13.7	13.2	11.9
DEFENDANTS CONVICTED										
Total.....	1,120	1,469	1,697	1,448	1,309	45.8	59.2	66.9	71.4	68.3
Murder.....	10	16	13	10	13	0.4	0.6	0.5	0.5	0.7
Manslaughter.....	6	15	10	13	12	0.2	0.6	0.4	0.6	0.6
Burglary.....	29	52	51	39	45	1.2	2.1	2.0	1.9	2.3
Aggravated assault.....	37	56	52	60	43	1.5	2.3	2.0	3.0	2.2
Larceny.....	131	183	232	224	165	5.4	7.4	9.1	11.1	8.6
Larceny, except auto theft.....	341	484	513	417	427	13.9	19.5	20.2	20.6	22.3
Auto theft.....	80	98	126	124	93	3.3	3.9	5.0	6.1	4.9
Embezzlement and fraud.....	67	104	145	124	85	2.7	4.2	5.7	6.1	4.4
Stolen property, receiving, etc.....	17	19	25	16	40	0.7	0.8	1.0	0.8	2.1
Forgery and counterfeiting.....	196	230	244	193	180	8.0	9.3	9.6	9.5	9.4
.....	24	21	34	36	22	1.0	0.8	1.3	1.8	1.1
For major offenses.....	182	191	252	192	184	7.4	7.7	9.9	9.5	9.6

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population for counties reporting.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,486	100.0	1,890	100.0	2,195	100.0	1,875	100.0	1,641	100.0
Disposed of without conviction.....	366	24.6	421	22.3	498	22.7	427	22.8	332	20.3
Dismissed.....	320	21.5	359	19.0	439	20.0	359	19.1	289	17.6
Acquitted by court (jury waived).....	5	0.3	3	0.2	3	0.1	14	0.7	10	0.6
Acquitted by jury.....	26	1.7	45	2.4	46	2.1	41	2.2	32	2.0
Other no-penalty disposition.....	15	1.0	14	0.7	10	0.5	13	0.7	1	0.1
Convicted and sentenced.....	1,120	75.4	1,469	77.7	1,697	77.3	1,448	77.2	1,309	79.7
Pleaded guilty.....	1,076	72.4	1,399	74.0	1,627	74.1	1,373	73.2	1,225	74.7
Found guilty by court (jury waived).....	16	1.1	22	1.2	19	0.9	20	1.1	31	1.9
Found guilty by jury.....	28	1.9	48	2.5	51	2.3	55	2.9	53	3.2

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	1,120	100.0	1,469	100.0	1,697	100.0	1,448	100.0	1,309	100.0
Death penalty.....	-	-	-	-	1	0.1	-	-	1	0.1
Prison or reformatory.....	487	43.5	612	41.7	697	41.1	599	41.4	577	44.1
Probation or suspended sentence.....	193	17.2	266	18.1	303	17.9	290	20.0	206	15.7
Local jail or workhouse.....	368	32.9	499	34.0	585	34.5	470	32.5	441	33.7
Fine or costs only.....	63	5.6	68	4.6	91	5.4	73	5.0	61	4.6
Institution for juvenile delinquents only.	7	0.6	20	1.4	20	1.2	16	1.1	23	1.8
Other sentence.....	2	0.2	4	0.3	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juveniles delinquents only
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	3,637	964	779	10	46	129	2,673	2,538	82	53	2,673	-	537	398	775	905	36
Major offenses.....	1,486	366	320	5	26	15	1,120	1,076	16	28	1,120	-	487	193	368	63	7
Murder.....	16	6	4	-	2	-	10	7	1	2	10	-	10	-	-	-	-
Manslaughter.....	12	6	5	-	1	-	6	6	-	6	-	-	4	1	-	1	-
Robbery.....	41	12	9	-	3	-	29	26	-	3	29	-	22	4	3	-	-
Aggravated assault.....	51	14	10	-	1	3	37	32	1	4	37	-	19	4	11	3	-
Burglary.....	169	38	34	1	-	3	131	128	1	2	131	-	59	29	40	-	3
Larceny, except auto theft.....	412	71	57	-	9	5	341	334	3	4	341	-	108	65	153	14	-
Auto theft.....	105	25	24	-	-	1	80	77	2	1	80	-	50	8	17	2	2
Embezzlement and fraud.....	101	34	33	-	1	-	67	65	1	1	67	-	14	17	27	9	-
Stolen property, receiving, etc.....	22	5	4	-	-	1	17	14	2	1	17	-	4	4	5	4	-
Forgery and counterfeiting.....	269	73	70	-	3	-	196	192	2	2	196	-	86	35	67	6	2
Rape.....	50	26	22	2	2	-	24	21	1	2	24	-	23	1	-	-	-
Commercialized vice.....	4	1	1	-	-	-	3	3	-	-	3	-	1	2	-	-	-
Other sex offenses.....	128	82	28	2	2	-	96	92	2	2	96	-	41	14	34	7	-
Violating drug laws.....	16	3	2	-	1	-	13	13	-	-	13	-	3	2	2	6	-
Carrying, etc., weapons.....	18	7	7	-	-	-	11	11	-	-	11	-	2	2	5	2	-
Other major offenses.....	72	13	10	-	1	2	59	55	-	4	59	-	41	5	4	9	-
Abortion.....	21	7	7	-	-	-	14	14	-	-	14	-	1	4	-	9	-
Arson.....	8	2	2	-	-	-	6	6	-	-	6	-	3	1	2	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-	2	-	1	-	1	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	41	4	1	-	1	2	37	33	-	4	37	-	36	-	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ²	2,151	598	459	5	20	114	1,553	1,462	66	25	1,553	-	50	205	407	842	29

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

KANSAS

A total of 1,055 defendants were disposed of for major offenses in the district courts of Kansas during the calendar year 1942, according to reports received from clerks of court by the Bureau of the Census. Of the 1,055 defendants, 736, or 69.8 percent, were convicted and sentenced; and 569, or 77.3 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 850 defendants disposed of for major crimes against property in 1942 (robbery, larceny, larceny, auto theft, embezzlement, fraud, etc., property, forgery, and counterfeiting) 604, or 71.1 percent, were convicted; and of the 138 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 86, or 62.3 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 90.0 in 1938 to 99.0 in 1939; decreased to 79.4 in 1940; increased to 81.5 in 1941; and decreased to 61.4 in 1942. The rate for defendants convicted of major offenses decreased in general, from 70.3 in 1938 to 42.8 in 1942, with the exception of an increase to 76.8 in 1939. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups together accounting for 48.2 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 75.2 percent of all defendants disposed of for major crimes were convicted. In 1938, 78.0 percent of the defendants were convicted; in

1939, 77.6 percent; in 1940, 79.0 percent; in 1941, 69.2 percent; and in 1942, 69.8 percent. In 1942, 60.0 percent of all defendants entered a plea of guilty, whereas only 7.3 percent were found guilty by jury, and 2.5 percent were found guilty by the court. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 71.9 percent were sentenced to imprisonment in a State prison or reformatory. The percentage so sentenced was 78.0 in 1938 and 65.1 in 1939, and, for the remaining years, fluctuated between these limits. Only 16.5 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 to 1942

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	1,055	1,424	1,430	1,805	1,658	61.4	81.5	79.4	99.0	90.0
Murder.....	34	21	16	29	40	2.0	1.2	0.9	1.6	2.2
Manslaughter.....	15	23	14	22	27	0.9	1.3	0.8	1.2	1.5
Robbery.....	38	72	54	71	78	2.2	4.1	3.0	3.9	4.2
Aggravated assault.....	45	89	60	55	71	2.6	5.1	3.3	3.0	3.9
Larceny.....	188	267	290	301	270	10.9	15.3	16.1	16.5	14.7
Auto theft, except auto theft.....	320	369	404	554	525	18.6	21.1	22.4	30.4	28.5
Theft.....	75	95	72	76	95	4.4	5.4	4.0	4.2	5.2
Embezzlement and fraud.....	52	85	123	174	124	3.0	4.9	6.8	9.5	6.7
Forgery, receiving, etc.....	23	29	25	27	33	1.3	1.7	1.4	1.5	1.8
Counterfeiting.....	154	232	205	258	199	9.0	13.3	11.4	14.1	10.8
Other major offenses.....	44	68	70	100	89	2.6	3.9	3.9	5.5	4.8
Total major offenses.....	67	74	97	138	107	3.9	4.2	5.4	7.6	5.8
DEFENDANTS CONVICTED										
Total.....	736	986	1,130	1,400	1,294	42.8	56.4	62.7	76.8	70.3
Murder.....	25	10	10	22	31	1.5	0.6	0.6	1.2	1.7
Manslaughter.....	13	14	11	15	18	0.8	0.8	0.6	0.8	1.0
Robbery.....	25	56	43	51	53	1.5	3.2	2.4	2.8	2.9
Aggravated assault.....	27	31	36	39	40	1.6	1.8	2.0	2.1	2.2
Larceny.....	141	206	244	255	225	8.2	11.8	13.5	14.0	12.2
Auto theft, except auto theft.....	235	285	345	470	449	13.7	16.3	19.2	25.8	24.4
Theft.....	63	80	68	67	78	3.7	4.6	3.8	3.7	4.2
Embezzlement and fraud.....	25	36	70	86	73	1.5	2.1	3.9	4.7	4.0
Forgery, receiving, etc.....	11	16	17	20	24	0.6	0.9	0.9	1.1	1.3
Counterfeiting.....	104	171	162	213	160	6.1	9.8	10.1	11.7	8.7
Other major offenses.....	21	37	38	64	57	1.2	2.1	2.1	3.5	3.1
Total major offenses.....	46	44	66	98	86	2.7	2.5	3.7	5.4	4.7

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--KANSAS

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1936 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,055	100.0	1,424	100.0	1,430	100.0	1,605	100.0	1,658	100.0
Disposed of without conviction.....	319	30.2	438	30.8	300	21.0	405	22.4	364	22.0
Dismissed.....	266	25.2	374	26.3	244	17.1	335	18.6	265	16.0
Acquitted by court (jury waived).....	3	0.3	3	0.2	6	0.4	7	0.4	20	1.2
Acquitted by jury.....	38	3.6	58	4.1	49	3.4	61	3.4	61	3.7
Other no-penalty disposition.....	12	1.1	5	0.2	1	0.1	2	0.1	18	1.1
Convicted and sentenced.....	736	69.8	986	69.2	1,130	79.0	1,400	77.6	1,294	78.0
Pleaded guilty.....	638	60.0	864	60.7	1,007	70.4	1,263	70.0	1,083	65.9
Found guilty by court (jury waived).....	26	2.5	26	1.8	19	1.3	16	0.9	37	2.2
Found guilty by jury.....	77	7.3	96	6.7	104	7.3	121	6.7	164	9.9

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	736	100.0	986	100.0	1,130	100.0	1,400	100.0	1,294	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	569	77.3	691	70.1	805	71.2	911	65.1	1,009	78.0
Probation or suspended sentence.....	84	11.4	185	18.8	211	18.7	318	22.7	117	9.0
Local jail or workhouse.....	74	10.1	91	9.2	105	9.3	151	10.8	110	8.5
Fine or costs only.....	8	1.1	18	1.8	9	0.8	20	1.4	53	4.1
Institution for juvenile delinquents only.	-	-	-	-	-	-	-	-	14	0.8
Other sentences.....	1	0.1	1	0.1	-	-	-	-	1	0.1

¹ Figures shown as reported. Subsequent information indicates the report was incorrect and that Kansas district courts do not handle juvenile cases except on appeal.

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only ²	Other sentences
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	1,703	644	557	9	60	18	1,059	909	53	97	1,059	-	615	179	177	81	1	6	
Major offenses.....	1,055	319	266	3	38	12	736	633	26	77	736	-	569	84	74	8	-	1	
Murder.....	34	9	-	-	6	3	25	15	1	9	25	-	20	-	5	-	-	-	
Manslaughter.....	15	2	1	-	1	-	13	7	1	5	13	-	9	1	3	-	-	-	
Robbery.....	38	13	10	-	3	-	25	20	-	5	25	-	24	1	-	-	-	-	
Aggravated assault.....	45	18	14	-	4	-	27	17	3	7	27	-	12	4	11	-	-	-	
Burglary.....	188	47	43	-	4	-	141	126	4	11	141	-	119	11	9	2	-	-	
Larceny, except auto theft.....	320	85	77	1	7	-	235	212	7	16	235	-	169	38	26	2	-	-	
Auto theft.....	75	12	10	-	1	1	63	57	1	5	63	-	57	1	4	1	-	-	
Embezzlement and fraud.....	52	27	23	1	3	-	25	19	1	5	25	-	15	7	1	2	-	-	
Stolen property, receiving, etc.....	23	12	10	-	1	1	11	8	-	3	11	-	8	1	2	-	-	-	
Forgery and counterfeiting.....	154	50	39	1	6	4	104	97	5	2	104	-	84	14	6	-	-	-	
Rape.....	44	23	22	-	-	1	21	13	1	7	21	-	19	2	-	-	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	24	8	7	-	1	-	16	15	1	-	16	-	11	2	1	1	-	1	
Violating drug laws.....	2	1	-	-	-	1	1	1	-	-	1	-	1	-	-	-	-	-	
Carrying, etc., weapons.....	3	1	-	-	-	1	2	1	-	1	2	-	1	-	1	-	-	-	
Other major offenses.....	38	11	10	-	1	-	27	25	1	1	27	-	20	2	5	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	11	4	3	-	1	-	7	7	-	-	7	-	6	1	-	-	-	-	
Bribery.....	7	1	1	-	-	-	6	6	-	-	6	-	5	1	2	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	15	3	3	-	-	-	12	11	-	1	12	-	9	-	3	-	-	-	
Kidnaping.....	1	-	-	-	-	-	1	-	-	1	1	-	1	-	-	-	-	-	
Perjury.....	4	3	3	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Minor offenses ³	648	325	291	6	22	6	523	276	27	20	325	-	46	95	103	73	1	5	

¹ Jury waived.

² Sentenced by juvenile court; decision upheld by district court on appeal.

³ This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

ember 13, 1943

U. S. DEPARTMENT OF COMMERCE
Bureau of the Census
Washington

Series J-11, No. 11

JUDICIAL CRIMINAL STATISTICS: 1942

MASSACHUSETTS

A total of 2,825 defendants were disposed of for major offenses in the superior courts of Massachusetts during the calendar year 1942, according to reports received from the Massachusetts Department of Correction and the Bureau of the Census. Of these 2,825 defendants, 1,189, or 79.5 percent, were convicted and sentenced; 1,189, or 52.9 percent, of the defendants convicted were sentenced to imprisonment. Of the 24 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 1,617, or 79.9 percent, were convicted; and the 368 persons disposed of for major crimes against person (murder, manslaughter, aggravated assault, rape) 296, or 80.4 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 69.7 in 1938 to 81.0 in 1939, and then decreased to 66.1 in 1942. The rate for defendants convicted of major offenses followed the same general trend, increasing from 52.6 in 1938 to 65.4 in 1939, and dropping to 52.6 in 1942. More defendants were disposed of for burglary than for any other offense during 1942, with larceny following in second place, and the two offense groups together accounting for 46.8 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 81.1 percent of all defendants disposed of for major crimes were convicted. In 1938, 77.6 percent of the defendants were convicted; in 1939, 80.7 percent; in 1940, 82.9 percent; in 1941, 84.6

percent; and in 1942, 79.5 percent. In 1942, 67.5 percent of all defendants entered a plea of guilty, whereas only 6.9 percent were found guilty by jury, and 5.1 percent were found guilty by the court. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 53.9 percent were sentenced to imprisonment. The percentages for 1938 and 1942 fell below this figure, and those for 1939 and 1941 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 30.6 percent were placed on probation or given a suspended sentence, whereas 14.6 percent were placed on file after conviction.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	2,825	3,083	3,194	3,548	3,085	66.1	71.9	74.0	81.0	69.7
Murder.....	10	16	19	17	25	0.2	0.4	0.4	0.4	0.6
Manslaughter.....	28	31	17	41	24	0.7	0.7	0.4	0.9	0.5
Robbery.....	243	273	406	416	368	5.7	6.4	9.4	9.5	8.3
Aggravated assault.....	115	144	111	168	98	2.7	3.4	2.6	3.8	2.2
Burglary.....	727	843	962	1,057	986	17.0	19.7	22.3	24.1	22.3
Larceny, except auto theft ⁴	595	630	566	527	728	13.9	14.7	13.1	12.0	16.4
Auto theft.....	325	404	311	354	190	7.6	9.4	7.2	8.1	4.3
Stolen property, receiving, etc.....	77	52	62	59	71	1.8	1.2	1.4	1.3	1.6
Forgery and counterfeiting.....	57	99	57	44	46	1.3	2.3	1.3	1.0	1.0
Other major offenses.....	215	218	275	241	234	5.0	5.1	6.4	5.5	5.3
For major offenses.....	433	371	408	624	315	10.1	8.7	9.5	14.2	7.1
DEFENDANTS CONVICTED										
Total.....	2,246	2,609	2,647	2,865	2,393	52.6	60.8	61.3	65.4	54.1
Murder.....	4	10	12	8	15	0.1	0.2	0.3	0.2	0.3
Manslaughter.....	19	24	13	12	15	0.4	0.6	0.3	0.3	0.3
Robbery.....	189	223	333	342	238	4.4	5.2	7.7	7.8	5.4
Aggravated assault.....	97	115	82	137	74	2.3	2.7	1.9	3.1	1.7
Burglary.....	670	784	874	969	868	15.7	18.3	20.2	22.1	19.6
Larceny, except auto theft ⁴	378	518	434	445	484	8.8	12.1	10.1	10.2	10.9
Auto theft.....	283	357	273	286	161	6.6	8.3	6.3	6.5	3.6
Stolen property, receiving, etc.....	55	41	46	51	57	1.3	1.0	1.1	1.2	1.3
Forgery and counterfeiting.....	42	89	50	42	38	1.0	2.1	1.2	1.0	0.9
Other major offenses.....	176	179	212	200	196	4.1	4.2	4.9	4.6	4.4
For major offenses.....	333	269	318	373	247	7.8	6.3	7.4	8.5	5.6

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

Larceny, except auto theft, includes embezzlement and fraud.

JUDICIAL CRIMINAL STATISTICS--MASSACHUSETTS

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

[Percent not shown where less than 0.1]

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,825	100.0	3,083	100.0	3,194	100.0	3,548	100.0	3,085	100.0
Disposed of without conviction.....	579	20.5	474	15.4	547	17.1	688	19.3	692	22.4
Dismissed.....	367	13.0	233	7.6	242	7.6	393	11.1	441	14.3
Acquitted by court (jury waived).....	67	2.4	70	2.3	95	3.0	98	2.6	109	3.5
Acquitted by jury.....	145	5.1	168	5.4	209	6.5	195	5.5	139	4.5
Other no-penalty disposition.....	-	-	3	0.1	1	-	2	0.1	3	0.1
Convicted and sentenced.....	2,246	79.5	2,609	84.6	2,647	82.9	2,865	80.7	2,393	77.6
Plead guilty.....	1,908	67.5	2,260	73.3	2,270	71.1	2,450	69.1	2,041	66.2
Found guilty by court (jury waived).....	143	5.1	118	3.8	132	4.1	103	2.9	137	4.4
Found guilty by jury.....	195	6.9	231	7.5	245	7.7	312	8.8	215	7.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[Percent not shown where less than 0.1]

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	2,246	100.0	2,609	100.0	2,647	100.0	2,865	100.0	2,393	100.0
Death penalty.....	1	-	1	-	1	-	2	0.1	1	-
Imprisonment ¹	1,189	52.9	1,425	54.6	1,428	53.9	1,587	55.4	1,253	52.4
Probation or suspended sentence.....	657	29.3	718	27.5	735	27.8	940	32.8	854	35.7
Fine or costs only.....	33	1.5	20	0.8	10	0.4	21	0.7	17	0.7
On file after conviction.....	366	16.3	445	17.1	473	17.9	315	11.0	268	11.2

¹ Includes defendants sentenced to a State prison or reformatory, to local jail or workhouse, or to an institution for juvenile delinquents only.

Table 4. DISPOSITION IN SUPERIOR COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Imprisonment ²	Probation or suspended sentence	Fine or costs only	Placed on file after conviction ³
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Plead guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	3,403	723	470	84	169	-	2,680	2,270	172	238	2,680	1	1,342	783	83	-	
Major offenses.....	2,825	579	367	67	145	-	2,246	1,908	143	195	2,246	1	1,189	657	33	-	
Murder.....	10	6	3	-	3	-	4	3	-	1	4	1	3	-	-	-	
Manslaughter.....	28	9	1	2	6	-	19	16	-	3	19	-	18	1	-	-	
Robbery.....	243	54	30	4	20	-	189	135	17	37	189	-	132	40	-	-	
Aggravated assault.....	115	18	8	4	6	-	97	73	12	12	97	-	48	36	1	-	
Burglary.....	727	57	39	6	12	-	670	635	11	24	670	-	337	227	-	-	
Larceny, except auto theft ³	595	217	174	13	30	-	378	340	13	25	378	-	158	111	6	-	
Auto theft.....	325	42	31	5	6	-	283	264	7	12	283	-	143	76	5	-	
Stolen property, receiving, etc.	77	22	4	7	11	-	55	39	5	11	55	-	19	28	2	-	
Forgery and counterfeiting.....	57	15	14	-	1	-	42	29	10	3	42	-	21	11	5	-	
Rape.....	215	39	15	11	13	-	176	129	22	25	176	-	108	55	-	-	
Commercialized vice.....	39	12	8	-	4	-	27	21	1	5	27	-	20	6	-	-	
Other sex offenses.....	178	29	8	10	11	-	149	95	36	18	149	-	85	30	9	-	
Violating drug laws.....	25	5	4	1	-	-	20	15	8	2	20	-	13	6	-	-	
Carrying, etc., weapons.....	40	4	2	1	1	-	36	29	2	5	36	-	18	8	2	-	
Other major offenses.....	151	50	26	3	21	-	101	85	4	12	101	-	66	22	3	-	
Abortion.....	35	15	6	-	9	-	20	11	3	6	20	-	13	4	1	-	
Arson.....	26	7	2	2	3	-	19	18	-	1	19	-	8	8	-	-	
Bigamy.....	5	-	-	-	-	-	5	5	-	-	5	-	2	1	1	-	
Blackmail and extortion.....	14	10	4	-	6	-	4	3	-	1	4	-	2	-	-	-	
Escape and jail break.....	28	1	1	-	-	-	27	23	1	3	27	-	24	1	-	-	
Kidnaping.....	9	5	4	1	-	-	4	3	-	1	4	-	4	-	-	-	
Perjury.....	34	12	9	-	3	-	22	22	-	-	22	-	13	8	1	-	
Minor offenses ⁴	578	144	103	17	24	-	434	362	29	43	434	-	153	126	50	-	

¹ Jury waived.² Includes defendants sentenced to a State prison or reformatory, to a local jail or workhouse, or to an institution for juvenile delinquents only.³ Larceny, except auto theft, includes embezzlement and fraud.⁴ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

MINNESOTA

total of 1,385 defendants were disposed of for major offenses in the district courts of Minnesota during calendar year 1942, according to individual reports received from the Minnesota Bureau of Criminal Apprehension by the Bureau of the Census. Of these 1,385 defendants, 1,166, or 84.2 percent, were convicted and sentenced; 518, or 44.4 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory; and 496, or 42.5 percent, were placed on probation or given a suspended sentence. Of the 1,049 defendants disposed of for major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 909, or 86.7 percent, were convicted; and of 195 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and kidnapping) 139, or 71.3 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 84.0 in 1938 to 51.8 in 1942. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 73.2 in 1938 to 43.6 in 1942. Defendants were disposed of for larceny more than for any other offense during 1942, with forgery and counterfeiting following in second place, and the two offenses together accounting for 49.5 percent of all major offense dispositions. (See table 1.)

During the past five years, 88.7 percent of all defendants disposed of for major crimes were convicted. In 1938, 87.2 percent of the defendants were convicted;

in 1939, 90.5 percent; in 1940, 90.8 percent; in 1941, 89.7 percent, and in 1942, 84.2 percent. In 1942, 78.6 percent of all defendants entered a plea of guilty, whereas only 5.2 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past five years, 44.8 percent were sentenced to a State prison or reformatory. The percentages for 1942 and 1940 fell below this amount, while those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past five years, 40.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding four years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past five years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

OFFENSE FOR WHICH DISPOSED OF	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	1,385	1,696	1,990	2,069	2,295	51.8	62.3	71.3	74.9	84.0
Murder.....	11	17	14	12	16	0.4	0.6	0.5	0.4	0.6
Manslaughter.....	37	37	24	28	36	1.4	1.4	0.9	1.0	1.3
Robbery.....	63	61	53	127	106	2.4	2.2	1.9	4.6	3.9
Aggravated assault.....	63	57	76	72	97	2.4	2.1	2.7	2.6	3.5
Burglary.....	122	191	278	225	272	4.6	7.0	10.0	8.1	10.0
Auto theft, except auto theft.....	499	539	636	702	772	18.6	19.8	22.8	25.4	28.2
Theft.....	107	139	151	170	171	4.0	5.1	5.4	6.2	6.3
Embezzlement and fraud.....	42	61	52	71	75	1.6	2.2	1.9	2.6	2.7
Stolen property, receiving, etc.....	29	27	38	37	75	1.1	1.0	1.4	1.3	2.7
Forgery and counterfeiting.....	187	295	353	321	374	7.0	10.8	12.6	11.6	13.7
Counterfeiting.....	84	120	91	112	87	3.1	4.4	3.3	4.1	3.2
Major offenses.....	141	152	224	192	214	5.3	5.6	8.0	7.0	7.8
DEFENDANTS CONVICTED										
Total.....	1,166	1,522	1,807	1,873	2,001	43.6	55.9	64.7	67.8	73.2
Murder.....	10	12	10	7	11	0.4	0.4	0.4	0.3	0.4
Manslaughter.....	25	26	16	17	22	0.9	1.0	0.6	0.6	0.8
Robbery.....	57	53	50	111	100	2.1	1.9	1.8	4.0	3.7
Aggravated assault.....	39	42	58	62	60	1.5	1.5	2.1	2.2	2.2
Burglary.....	105	172	264	220	254	3.9	6.3	9.5	8.0	9.3
Auto theft, except auto theft.....	434	498	590	639	713	16.2	18.3	21.1	23.1	26.1
Theft.....	92	135	143	161	152	3.4	5.0	5.1	5.8	5.6
Embezzlement and fraud.....	33	42	36	59	55	1.2	1.5	1.3	2.1	2.0
Stolen property, receiving, etc.....	23	24	35	28	51	0.9	0.9	1.3	1.0	1.9
Forgery and counterfeiting.....	165	270	333	308	343	6.2	9.9	11.9	11.2	12.5
Counterfeiting.....	65	105	61	101	63	2.4	3.9	2.9	3.7	2.3
Major offenses.....	118	143	191	160	177	4.4	5.3	6.6	5.8	6.5

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which

based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--MINNESOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,385	100.0	1,696	100.0	1,990	100.0	2,069	100.0	2,295	100.0
Dismissed of without conviction.....	219	15.8	174	10.3	183	9.2	196	9.5	294	12.8
Dismissed.....	153	11.0	125	7.4	130	6.5	132	6.4	231	10.1
Acquitted by court (jury waived).....	1	0.1	1	0.1	3	0.2	-	-	2	0.1
Acquitted by jury.....	46	3.3	43	2.5	43	2.2	56	2.7	43	1.9
Other non-penalty disposition.....	19	1.4	5	0.3	7	0.4	8	0.4	18	0.8
Convicted and sentenced.....	1,166	84.2	1,522	89.7	1,807	90.8	1,873	90.5	2,001	87.2
Pleading guilty.....	1,089	78.6	1,434	84.6	1,741	87.5	1,784	86.2	1,903	82.9
Found guilty by court (jury waived).....	5	0.4	7	0.4	3	0.2	6	0.3	6	0.3
Found guilty by jury.....	72	5.2	81	4.8	63	3.2	83	4.0	92	4.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[Death penalty not applicable in Minnesota]

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,166	100.0	1,522	100.0	1,807	100.0	1,873	100.0	2,001	100.0
Prison or reformatory.....	518	44.4	683	44.9	788	43.6	859	45.9	903	45.1
Probation or suspended sentence.....	496	42.5	661	43.4	719	39.8	740	39.5	788	39.4
Local jail or workhouse.....	122	10.5	148	9.7	240	13.3	212	11.3	267	13.3
Fine or costs only.....	27	2.3	27	1.8	55	3.0	55	2.9	35	1.7
Institution for juvenile delinquents only..	3	0.3	2	0.1	5	0.3	7	0.4	8	0.4
Other sentence.....	-	-	1	0.1	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

[Death penalty not applicable in Minnesota]

OFFENSE FOR WHICH DISPOSED OF	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Prison or reforma- tory	Probation or suspended sentence	Local jail or work- house	Fine or costs only	Insti- tution for juvenile delin- quents only	Other sen- tence
		Total	Dis- missed	Acquitted--		Other non- pen- alty	Total	Pleading guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,801	270	192	6	49	23	1,531	1,437	7	87	1,531	536	679	159	154	3	-	
Major offenses.....	1,385	219	153	1	46	19	1,166	1,089	5	72	1,166	518	496	122	27	3	-	
Murder.....	11	1	-	-	-	1	10	4	-	6	10	10	-	-	-	-	-	
Manslaughter.....	37	12	2	-	10	-	25	18	-	7	25	10	11	1	3	-	-	
Robbery.....	63	6	6	-	-	-	57	53	-	4	57	44	12	-	-	1	-	
Aggravated assault.....	63	24	13	-	9	2	39	33	1	5	39	26	9	3	1	-	-	
Burglary.....	122	17	13	-	2	2	105	103	-	2	105	46	49	10	-	-	-	
Larceny, except stolen theft.....	499	65	49	1	9	6	434	419	1	14	434	181	186	59	6	2	-	
Auto theft.....	107	15	10	-	1	4	92	91	-	1	92	44	44	3	1	-	-	
Embezzlement and fraud.....	42	9	9	-	-	-	33	29	-	4	33	6	22	2	3	-	-	
Stolen property, receiving, etc.....	29	6	4	-	1	1	23	22	-	1	23	2	16	3	2	-	-	
Forgery and counterfeiting.....	187	22	19	-	1	2	165	164	-	1	165	66	70	25	4	-	-	
Rape.....	84	19	12	-	6	1	65	53	1	11	65	35	27	3	-	-	-	
Commercialized vice.....	14	4	4	-	-	-	10	5	-	5	10	6	2	-	-	2	-	
Other sex offenses.....	74	9	6	-	3	-	65	56	2	7	65	28	29	5	3	-	-	
Violating drug laws.....	9	-	-	-	-	-	9	9	-	-	9	2	3	4	-	-	-	
Carrying, etc., weapons.....	6	2	1	-	1	-	4	4	-	-	4	-	1	2	1	-	-	
Other major offenses.....	38	8	5	-	3	-	30	26	-	4	30	12	15	2	1	-	-	
Abortion.....	3	-	-	-	-	-	3	2	-	1	3	1	2	-	-	-	-	
Arson.....	12	5	3	-	2	-	7	5	-	2	7	2	5	-	-	-	-	
Bigamy.....	9	1	1	-	-	-	8	8	-	-	8	4	3	-	1	-	-	
Blackmail and extortion.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	10	-	-	-	-	-	10	9	-	1	10	5	3	2	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	3	1	1	-	-	-	2	2	-	-	2	-	2	-	-	-	-	
Minor offenses ²	416	51	39	5	3	4	365	348	2	15	365	18	183	37	127	-	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

A common criticism of court administration is that there are often unnecessary and exceedingly long delays in the disposition of criminal cases. Since individual reports were received on the disposition of defendants in the district courts, an analysis was made possible of the elapsed time between the date of filing the indictment or information, and the date of final plea, trial, or disposition. These data are presented in tables 5 to 8 by method of disposition, according to the total time elapsing from filing of indictment or information to the disposition, from filing of indictment or information to the final plea; and from final plea to trial. For defendants convicted and sentenced, the total time elapsing from filing to disposition is presented by sentence or treatment.

Of the 1,801 defendants disposed of, 84.8 percent were disposed of in less than two months, but the dispositions of 69, or 3.8 percent, were pending for a year or more. In general, the disposition of defendants who were convicted and sentenced required less time than the disposition of defendants who were eliminated without conviction. Of the defendants who were convicted, 91.4 percent were disposed of in less than two months, and 82.5 percent in less than one month; but of the defendants eliminated without conviction, only 47.4 percent were disposed of in less than two months and only 37.4 percent in less than one month. (See table 5.) These data seem to substantiate the assumption that the probability of a conviction decreases with the passage of time.

For 81.7 percent of the defendants who entered a plea, the time lost between filing of the indictment or information and the final plea did not exceed one week. Of the 1,322 defendants who pleaded guilty as charged, 83.8 percent had entered their final plea by the end of seven days, whereas, of the 115 who pleaded guilty to a lesser offense than charged, only 53, or 46.1 percent, had entered their final plea by the end of one week. (See table 6.)

Of the 1,801 defendants disposed of in 1942, only 149 were brought to trial, and of these, 94, or 63.1 percent, were convicted and sentenced. Of the defendants tried, 89.1 percent of those acquitted, and 87.2 percent of those convicted, were tried within 59 days after entering plea. (See table 7.) Defendants convicted and placed on probation or given a suspended sentence were disposed of less rapidly than those sentenced to a State prison or reformatory. Of the defendants placed on probation or given a suspended sentence, 80.4 percent were disposed of during the first month, as compared with 84.9 percent of those sent to a prison or reformatory and 82.4 percent of those sentenced to a local jail or workhouse. (See table 8.)

Of the 1,531 convicted defendants, only 134, or 8.8 percent, had been charged with a more serious offense than that of which convicted. The greatest number of these defendants, 36, had been charged with grand larceny, but were convicted of a lesser offense. (See table 9.) Statistics on the type of charge and the offense of which convicted are presented for convicted defendants in table 10.

Table 5. DEFENDANTS DISPOSED OF, BY METHOD OF DISPOSITION AND ELAPSED TIME BETWEEN FILING OF CHARGE AND FINAL DISPOSITION: 1942

[Percent not shown where base is less than 50]

ELAPSED TIME (Filing to disposition)	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED						
		Total	Dis- missed	Acquitted--		Other no- penalty	Total	Pleaded guilty		Found guilty by court ¹		Found guilty by jury	
				By court ¹	By jury			As charged	To a lesser offense	As charged	Of a lesser offense	As charged	Of a lesser offense
Total defendants.....	1,801	270	192	6	49	23	1,531	1,322	115	5	2	70	17
Under 1 month.....	1,364	101	57	2	31	11	1,263	1,136	81	3	1	36	6
0 to 7 days.....	963	38	19	-	13	6	925	870	41	1	1	10	2
8 to 14 days.....	183	21	12	1	8	-	162	128	19	2	-	10	3
15 to 29 days.....	218	42	26	1	10	5	176	138	21	-	-	16	1
1 month.....	164	27	17	-	8	2	137	94	17	2	1	18	5
30 to 44 days.....	111	16	8	-	6	2	95	64	12	1	1	13	4
45 to 59 days.....	53	11	9	-	2	-	42	30	5	1	-	5	1
6 months (60 to 89 days).....	75	21	14	-	3	4	54	41	5	-	-	5	3
to 5 months (90 to 179 days).....	79	35	22	4	6	3	44	30	7	-	-	4	3
to 11 months (180 to 359 days)....	50	31	29	-	1	1	19	11	3	-	-	5	-
year or more (360 days or more)....	69	55	53	-	-	2	14	10	2	-	-	2	-
PERCENT													
Total defendants.....	100.0	100.0	100.0	-	-	-	100.0	100.0	100.0	-	-	100.0	-
Under 1 month.....	75.7	37.4	29.7	-	-	-	82.5	85.9	70.4	-	-	51.4	-
0 to 7 days.....	53.5	14.1	9.9	-	-	-	60.4	65.8	35.7	-	-	14.3	-
8 to 14 days.....	10.2	7.8	6.3	-	-	-	10.6	9.7	16.5	-	-	14.3	-
15 to 29 days.....	12.1	15.6	13.5	-	-	-	11.5	10.4	18.3	-	-	22.9	-
1 month.....	9.1	10.0	8.9	-	-	-	8.9	7.1	14.8	-	-	25.7	-
30 to 44 days.....	6.2	5.9	4.2	-	-	-	6.2	4.8	10.4	-	-	13.6	-
45 to 59 days.....	2.9	4.1	4.7	-	-	-	2.7	2.3	4.3	-	-	7.1	-
6 months (60 to 89 days).....	4.2	7.8	7.3	-	-	-	3.5	3.1	4.3	-	-	7.1	-
to 5 months (90 to 179 days).....	4.4	13.0	11.5	-	-	-	2.9	2.3	6.1	-	-	5.7	-
to 11 months (180 to 359 days)....	2.8	11.5	15.1	-	-	-	1.2	0.8	2.6	-	-	7.1	-
year or more (360 days or more)....	3.8	20.4	27.6	-	-	-	0.9	0.8	1.7	-	-	2.9	-

¹ Jury waived.

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Table 6. DEFENDANTS DISPOSED OF, BY METHOD OF DISPOSITION AND ELAPSED TIME BETWEEN FILING OF CHARGE AND FINAL PLEA: 1942

[Percent not shown where base is less than 50]

ELAPSED TIME (Filing to plea)	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED						
		Total	Dis- missed	Acquitted--		Other no- penalty	Total	Pleaded guilty		Found guilty by court ¹		Found guilty by jury	
				By court ¹	By jury			As charged	To a lesser offense	As charged	Of a lesser offense	As charged	Of a lesser offense
Total defendants.....	1,801	270	192	6	49	23	1,531	1,322	115	5	2	70	1
Defendants not entering plea.....	104	104	91	-	-	13	-	-	-	-	-	-	-
Defendants entering plea.....	1,697	166	101	6	49	10	1,531	1,322	115	5	2	70	1
Under 1 month.....	1,568	157	96	6	46	9	1,411	1,235	89	5	2	66	1
0 to 7 days.....	1,387	146	89	6	42	9	1,241	1,108	53	4	2	62	1
8 to 14 days.....	96	7	5	-	2	-	89	63	21	1	-	4	-
15 to 29 days.....	85	4	2	-	2	-	81	64	15	-	-	-	-
1 month.....	56	5	4	-	-	1	51	36	13	-	-	1	-
30 to 44 days.....	37	5	4	-	-	1	32	22	9	-	-	-	-
45 to 59 days.....	19	-	-	-	-	-	19	14	4	-	-	1	-
2 months (60 to 89 days).....	27	2	-	-	2	-	25	20	4	-	-	1	-
3 to 5 months (90 to 179 days)...	28	1	-	-	1	-	27	18	7	-	-	-	-
6 to 11 months (180 to 359 days)...	10	-	-	-	-	-	10	9	1	-	-	-	-
1 year or more (360 days or more)	8	1	1	-	-	-	7	4	1	-	-	2	-
PERCENT													
Defendants entering plea.....	100.0	100.0	100.0	-	-	-	100.0	100.0	100.0	-	-	100.0	-
Under 1 month.....	92.4	94.6	95.0	-	-	-	92.2	93.4	77.4	-	-	94.3	-
0 to 7 days.....	81.7	88.0	88.1	-	-	-	81.1	83.8	46.1	-	-	88.6	-
8 to 14 days.....	5.7	4.2	5.0	-	-	-	5.8	4.8	18.3	-	-	5.7	-
15 to 29 days.....	5.0	2.4	2.0	-	-	-	5.3	4.8	13.0	-	-	-	-
1 month.....	3.3	3.0	4.0	-	-	-	3.3	2.7	11.3	-	-	1.4	-
30 to 44 days.....	2.2	3.0	4.0	-	-	-	2.1	1.7	7.8	-	-	-	-
45 to 59 days.....	1.1	-	-	-	-	-	1.2	1.1	3.5	-	-	1.4	-
2 months (60 to 89 days).....	1.6	1.2	-	-	-	-	1.6	1.5	3.5	-	-	1.4	-
3 to 5 months (90 to 179 days)...	1.6	0.6	-	-	-	-	1.8	1.4	6.1	-	-	-	-
6 to 11 months (180 to 359 days)...	0.6	-	-	-	-	-	0.7	0.7	0.9	-	-	-	-
1 year or more (360 days or more)	0.5	0.6	1.0	-	-	-	0.5	0.3	0.9	-	-	2.9	-

¹ Jury waived.

Table 7. DEFENDANTS DISPOSED OF, BY METHOD OF DISPOSITION AND ELAPSED TIME BETWEEN FINAL PLEA AND TRIAL: 1942

[Percent not shown where base is less than 50]

ELAPSED TIME (Plea to trial)	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED						
		Total	Dis- missed	Acquitted--		Other oo- penalty	Total	Pleaded guilty		Found guilty by court ¹		Found guilty by jury	
				By court ¹	By jury			As charged	To a lesser offense	As charged	Of a lesser offense	As charged	Of a lesser offense
Total defendants.....	1,801	270	192	6	49	23	1,531	1,322	115	5	2	70	1
Defendants not tried.....	1,652	215	192	-	-	23	1,437	1,322	115	-	-	-	-
Defendants tried.....	149	55	-	6	49	-	94	-	-	5	2	70	1
Under 1 month.....	105	41	-	3	38	-	64	-	-	4	2	47	1
0 to 7 days.....	52	28	-	1	22	-	29	-	-	3	1	21	-
8 to 14 days.....	25	8	-	1	7	-	17	-	-	-	-	14	-
15 to 29 days.....	28	10	-	1	9	-	18	-	-	1	1	12	-
1 month.....	26	8	-	3	5	-	18	-	-	1	-	13	-
30 to 44 days.....	18	8	-	-	3	-	15	-	-	1	-	11	-
45 to 59 days.....	8	5	-	3	2	-	3	-	-	-	-	2	-
2 to 5 months (60 to 179 days)...	13	5	-	-	5	-	8	-	-	-	-	6	-
6 to 11 months (180 to 359 days)...	5	1	-	-	1	-	4	-	-	-	-	4	-
1 year or more (360 days or more)	-	-	-	-	-	-	-	-	-	-	-	-	-
PERCENT													
Defendants tried.....	100.0	100.0	-	-	-	-	100.0	-	-	-	-	100.0	-
Under 1 month.....	70.5	74.5	-	-	-	-	68.1	-	-	-	-	67.1	-
0 to 7 days.....	34.9	41.8	-	-	-	-	30.9	-	-	-	-	30.0	-
8 to 14 days.....	16.8	14.5	-	-	-	-	18.1	-	-	-	-	20.0	-
15 to 29 days.....	18.8	18.2	-	-	-	-	19.1	-	-	-	-	17.1	-
1 month.....	17.4	14.5	-	-	-	-	19.1	-	-	-	-	18.6	-
30 to 44 days.....	12.1	5.5	-	-	-	-	16.0	-	-	-	-	15.7	-
45 to 59 days.....	5.4	9.1	-	-	-	-	3.2	-	-	-	-	2.9	-
2 to 5 months (60 to 179 days)...	8.7	9.1	-	-	-	-	8.5	-	-	-	-	8.6	-
6 to 11 months (180 to 359 days)...	3.4	1.8	-	-	-	-	4.3	-	-	-	-	5.7	-
1 year or more (360 days or more)	-	-	-	-	-	-	-	-	-	-	-	-	-

¹ Jury waived.

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Table 6. DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE AND ELAPSED TIME BETWEEN FILING OF CHARGE AND FINAL DISPOSITION: 1942
[Death penalty not applicable in Minnesota. Percent not shown where base is less than 50]

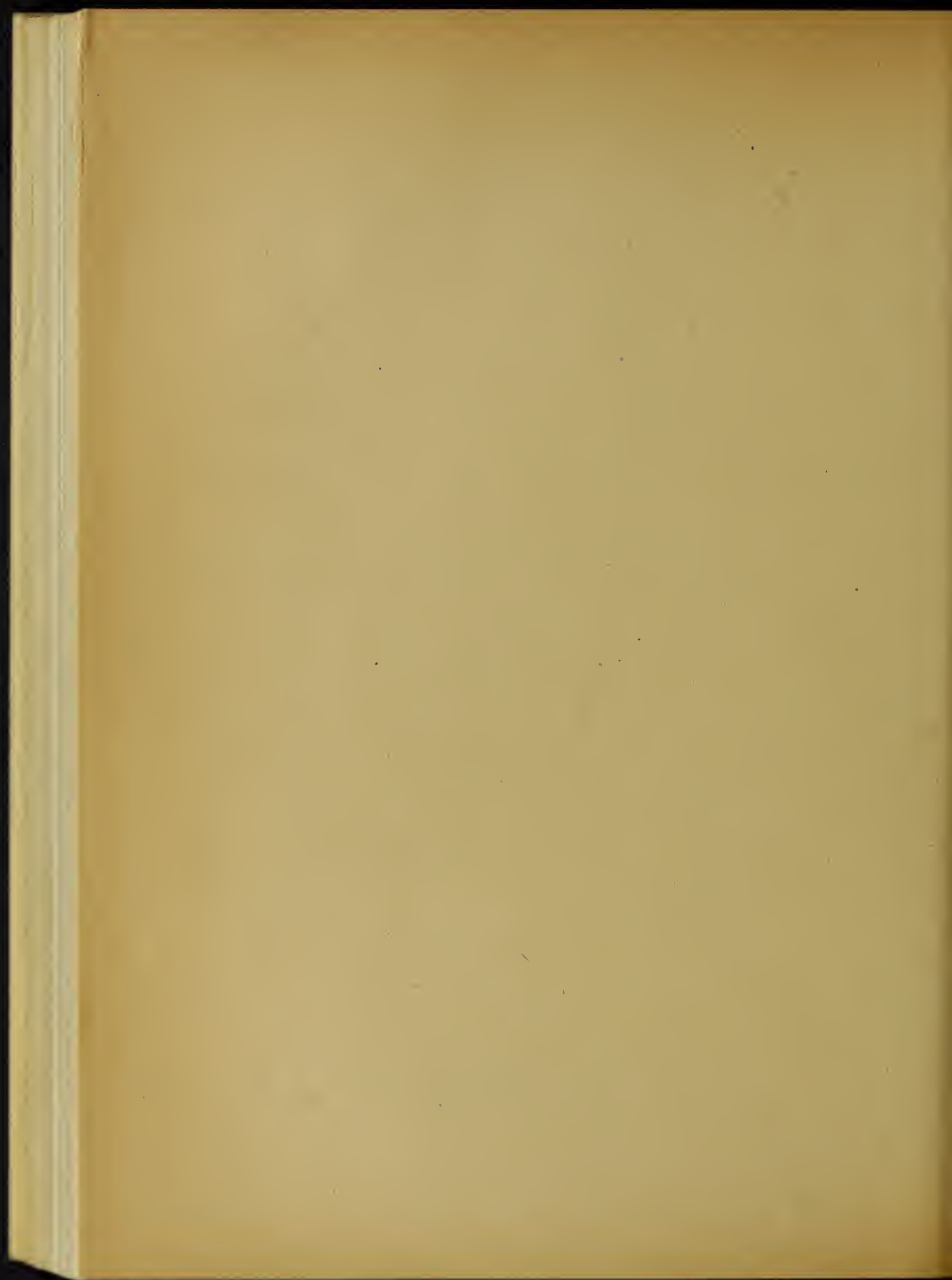
ELAPSED TIME (Filing to disposition)	Total defendants convicted and sentenced	TYPE OF SENTENCE					
		Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delin- quents only	Other sentence
Total defendants.....	1,531	536	679	159	154	3	-
Under 1 month.....	1,263	455	546	131	129	2	-
0 to 7 days.....	925	323	405	81	116	-	-
8 to 14 days.....	162	63	67	23	9	-	-
15 to 29 days.....	176	69	74	27	4	2	-
1 month.....	137	53	53	14	11	1	-
30 to 44 days.....	95	39	36	12	7	1	-
45 to 59 days.....	42	14	22	2	4	-	-
6 months (60 to 89 days).....	54	11	34	5	4	-	-
to 5 months (90 to 179 days).....	44	12	21	7	4	-	-
to 11 months (180 to 359 days).....	19	3	11	1	4	-	-
year or more (360 days or more).....	14	2	9	1	2	-	-
PERCENT							
Total defendants.....	100.0	100.0	100.0	100.0	100.0	-	-
Under 1 month.....	82.5	84.9	80.4	82.4	83.8	-	-
0 to 7 days.....	60.4	60.3	59.6	50.9	75.3	-	-
8 to 14 days.....	10.6	11.8	9.9	14.5	5.8	-	-
15 to 29 days.....	11.5	12.9	10.9	17.0	2.6	-	-
1 month.....	8.9	9.9	8.5	8.8	7.1	-	-
30 to 44 days.....	6.2	7.3	5.3	7.5	4.5	-	-
45 to 59 days.....	2.7	2.6	3.2	1.3	2.6	-	-
6 months (60 to 89 days).....	3.5	2.1	5.0	3.1	2.6	-	-
to 5 months (90 to 179 days).....	2.9	2.2	3.1	4.4	2.6	-	-
to 11 months (180 to 359 days).....	1.2	0.6	1.6	0.6	2.6	-	-
year or more (360 days or more).....	0.9	0.4	1.3	0.6	1.3	-	-

Table 9. DEFENDANTS DISPOSED OF, BY OFFENSE CHARGED AND TYPE OF DISPOSITION: 1942

OFFENSE CHARGED	Total defendants disposed of	Disposed of without convic- tion	CONVICTED AND SENTENCED			OFFENSE CHARGED	Total defendants disposed of	Disposed of without convic- tion	CONVICTED AND SENTENCED		
			Total	As charged	Of a lesser offense				Total	As charged	Of a lesser offense
All offenses.....	1,801	270	1,531	1,397	134	Burglary.....	123	17	106	100	6
Major offenses.....	1,401	219	1,182	1,073	109	Larceny, exc. auto theft:					
murder:						Larceny (exc. petty larceny).....	493	65	428	392	36
First degree.....	12	1	11	6	5	Petty larceny.....	2	-	2	2	-
Second degree.....	1	-	1	1	-	Auto theft.....	107	15	92	91	1
manslaughter:						Embezzlement and fraud.....	42	9	33	33	-
Manslaughter (exc. negl. homicide).....	5	2	3	2	1	Stolen property, receiving, etc.....	27	6	21	21	-
Negligent homicide.....	31	10	21	19	2	Forgery and counterfeiting.....	189	22	167	161	6
robbery:						Rape:					
First degree.....	51	3	48	33	15	Rape (exc. carnal knowledge).....	13	2	11	7	4
Second degree.....	12	3	9	5	4	Carnal knowledge.....	78	17	61	56	5
Third degree.....	5	-	5	5	-	Commercialized vice.....	14	4	10	9	1
aggravated assault:						Other sex offenses.....	68	9	59	55	4
First degree.....	11	2	9	4	5	Other major offenses.....	53	10	43	42	1
Second degree.....	64	22	42	29	13	Minor offenses.....	400	51	349	324	25

Table 10. DEFENDANTS CONVICTED AND SENTENCED, BY OFFENSE FOR WHICH CONVICTED AND TYPE OF CHARGE: 1942

OFFENSE FOR WHICH CONVICTED	Total defendants convicted	Charged with same offense	Charged with more serious offense	OFFENSE FOR WHICH CONVICTED	Total defendants convicted	Charged with same offense	Charged with more serious offense
All offenses.....	1,531	1,397	134	Burglary.....	105	100	5
Major offenses.....	1,166	1,073	93	Larceny, exc. auto theft:			
murder:				Larceny (exc. petty larceny).....	406	392	14
First degree.....	6	6	-	Petty larceny.....	28	2	26
Second degree.....	4	1	3	Auto theft.....	92	91	1
manslaughter:				Embezzlement and fraud.....	33	33	-
Manslaughter (exc. negl. homicide).....	4	2	2	Stolen property, receiving, etc.....	23	21	2
Negligent homicide.....	21	19	2	Forgery and counterfeiting.....	165	161	4
robbery:				Rape:			
First degree.....	33	33	-	Rape (exc. carnal knowledge).....	7	7	-
Second degree.....	14	5	9	Carnal knowledge.....	58	56	2
Third degree.....	10	5	5	Commercialized vice.....	10	9	1
aggravated assault:				Other sex offenses.....	65	55	10
First degree.....	4	4	-	Other major offenses.....	43	42	1
Second degree.....	35	29	6	Minor offenses.....	365	324	41



JUDICIAL CRIMINAL STATISTICS: 1942

MONTANA

A total of 376 defendants were disposed of for major offenses in the district courts of Montana during the calendar year 1942, according to reports received from the clerk of court by the Bureau of the Census. Of these defendants, 289, or 76.9 percent, were convicted and sentenced; and 217, or 75.1 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 259 defendants disposed of for major offenses against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 206, or 79.5 percent, were convicted; and of the 73 disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 44, or 60.3 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 102.1 in 1938 to 72.1 in 1942, although there was a slight increase in 1940 over 1939. The rate for defendants convicted of major offenses decreased steadily from 87.6 in 1938 to 55.4 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups together accounting for 40.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 81.8 percent of all defendants disposed of for major crimes were convicted. In 1938, 85.8 percent of the defendants were convicted; in 1939, 85.6 percent; in 1940, 82.5 percent; in 1941, 79.1

percent; and in 1942, 76.9 percent. In 1942, 68.6 percent of all defendants entered a plea of guilty, whereas only 6.1 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 75.5 percent were sentenced to imprisonment in a State institution for adults. The percentage so sentenced increased from 70.9 in 1938 to 77.5 in 1940, and then decreased to 75.1 in 1942. Only 15.7 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 56 counties of the State and as percent of the 1940 population of the State in these reporting counties are as follows: 1942, 1941, and 1940, all counties, 100.0 percent; 1939, 44 counties, 70.0 percent; 1938, 47 counties, 61.9 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	376	503	549	375	345	72.1	93.8	98.1	97.0	102.1
Murder.....	8	10	8	8	5	1.5	1.9	1.4	2.1	1.5
Manslaughter.....	13	5	5	6	6	2.5	0.9	0.9	1.6	1.8
Burglary.....	23	27	31	16	19	4.4	5.0	5.5	4.1	5.6
Aggravated assault.....	25	22	30	22	18	4.8	4.1	5.4	5.7	5.3
Larceny.....	74	99	149	93	89	14.2	18.5	26.6	24.1	26.3
Auto theft, except auto theft.....	78	134	115	97	81	15.0	25.0	20.6	25.1	24.0
Auto theft.....	12	19	42	14	21	2.3	3.5	7.5	3.6	6.2
Embezzlement and fraud.....	7	7	7	12	12	1.3	1.3	1.3	3.1	3.6
Forgery, receiving, etc.....	6	7	28	6	6	1.2	1.3	5.0	1.6	1.8
Counterfeiting.....	59	98	91	61	46	11.3	18.3	16.3	15.8	13.6
Other major offenses.....	27	36	27	13	17	5.2	6.7	4.8	3.4	5.0
Total major offenses.....	44	39	16	27	25	8.4	7.3	2.9	7.0	7.4
DEFENDANTS CONVICTED										
Total.....	289	398	453	321	296	55.4	74.2	81.0	83.1	87.6
Murder.....	6	7	5	6	5	1.2	1.3	0.9	1.6	1.5
Manslaughter.....	7	3	1	3	2	1.3	0.6	0.2	0.8	0.6
Burglary.....	20	21	23	10	16	3.8	3.9	4.1	2.6	4.7
Aggravated assault.....	18	18	23	20	15	3.5	3.4	4.1	5.2	4.4
Larceny.....	58	80	131	89	81	11.1	14.9	23.4	23.0	24.0
Auto theft, except auto theft.....	55	107	95	78	69	10.5	20.0	17.0	20.2	20.4
Auto theft.....	9	15	33	14	20	1.7	2.8	5.9	3.6	5.9
Embezzlement and fraud.....	5	6	4	9	10	1.0	1.1	0.7	2.3	3.0
Forgery, receiving, etc.....	6	6	26	4	5	1.2	1.1	4.6	1.0	1.5
Counterfeiting.....	53	90	84	58	44	10.2	16.8	15.1	15.0	13.0
Other major offenses.....	13	16	17	9	12	2.5	3.0	3.0	2.3	3.6
Total major offenses.....	39	29	11	21	17	7.5	5.4	2.0	5.4	5.0

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population for counties reporting.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	376	100.0	503	100.0	549	100.0	375	100.0	345	100.0
Disposed of without conviction.....	87	23.1	105	20.9	96	17.5	54	14.4	49	14.2
Dismissed.....	69	18.4	90	17.9	71	12.9	43	11.5	35	10.1
Acquitted by court (jury waived).....	4	1.1	-	-	-	-	-	-	-	-
Acquitted by jury.....	13	3.5	14	2.8	21	3.8	10	2.7	14	4.1
Other no-penalty disposition.....	1	0.3	1	0.2	4	0.7	1	0.3	-	-
Convicted and sentenced.....	289	76.9	398	79.1	453	82.5	321	85.6	296	85.8
Pleading guilty.....	258	68.6	345	68.6	390	71.0	294	78.4	275	79.7
Found guilty by court (jury waived).....	8	2.1	8	1.6	21	3.8	2	0.5	3	0.9
Found guilty by jury.....	23	6.1	45	8.9	42	7.7	25	6.7	18	5.2

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	289	100.0	398	100.0	453	100.0	321	100.0	296	100.0
Death penalty.....	-	-	-	-	-	-	1	0.3	1	0.3
Prison or reformatory.....	217	75.1	300	75.4	351	77.5	248	77.3	210	70.9
Probation or suspended sentence.....	46	15.9	64	16.1	62	13.7	46	14.3	58	19.6
Local jail or workhouse.....	4	1.4	17	4.3	24	5.3	13	4.0	22	7.4
Fine or costs only.....	6	2.1	9	2.3	5	1.1	6	1.9	1	0.3
Institution for juvenile delinquents only	16	5.5	8	2.0	11	2.4	7	2.2	4	1.3
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fines or costs only	Institution for juvenile delinquents only	
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	472	113	90	4	18	1	359	315	9	35	359	-	222	57	12	47	20	
Major offenses.....	376	87	69	4	13	1	289	258	8	23	289	-	217	46	4	6	16	
Murder.....	8	2	2	-	-	-	6	1	-	5	6	-	6	-	-	-	-	
Manslaughter.....	13	6	5	-	1	-	7	4	1	2	7	-	6	1	-	-	-	
Robbery.....	23	3	2	-	1	-	20	16	1	3	20	-	18	1	-	-	1	
Aggravated assault.....	25	7	6	-	1	-	18	13	-	5	18	-	10	3	1	4	-	
Burglary.....	74	16	12	-	4	-	58	52	6	-	58	-	39	9	-	-	10	
Larceny, except auto theft.....	78	23	18	2	3	-	55	50	-	5	55	-	47	7	-	1	-	
Auto theft.....	12	3	2	-	-	1	9	9	-	-	9	-	2	3	3	-	1	
Embezzlement and fraud.....	7	2	2	-	-	-	5	5	-	-	5	-	3	1	-	1	-	
Stolen property, receiving, etc.....	6	-	-	-	-	-	6	6	-	-	6	-	-	4	-	-	2	
Forgery and counterfeiting.....	59	6	3	2	1	-	53	52	-	1	53	-	41	10	-	-	2	
Rape.....	27	14	13	-	1	-	13	11	-	2	13	-	12	1	-	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	19	2	2	-	-	-	17	17	-	-	17	-	15	2	-	-	-	
Violating drug laws.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	
Carrying, etc., weapons.....	6	-	-	-	-	-	6	6	-	-	6	-	3	2	-	-	-	
Other major offenses.....	18	3	2	-	1	-	15	15	-	-	15	-	14	1	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bigamy.....	3	1	1	-	-	-	2	2	-	-	2	-	2	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	12	-	-	-	-	-	12	12	-	-	12	-	12	-	-	-	-	
Kidnaping.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	
Perjury.....	2	2	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	96	26	21	-	5	-	70	57	1	12	70	-	5	11	8	41	4	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

NEW HAMPSHIRE

A total of 335 defendants were disposed of for major offenses in the superior courts of New Hampshire during calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 335 defendants, 266, or 79.4 percent, were convicted and sentenced; and 132, or 49.6 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence. Of the 216 defendants charged with major crimes against property in 1942 (larceny, burglary, larceny, auto theft, embezzlement, and stolen property, forgery, and counterfeiting), 166, or 78.2 percent, were convicted; and of the 53 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 46, or 88 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 72.4 in 1938 to 69.7 in 1942. The rate for defendants convicted followed the same general trend, and with the exception of a slight increase in 1940, decreased from 57.5 in 1938 to 62.3 in 1942. More defendants were disposed of for burglary than for any other offense during 1942, with larceny following in second place, and the two offense groups together accounting for 43.6 percent of major offense dispositions. (See table 1.)

During the past five years, 82.2 percent of all defendants disposed of for major offenses were convicted. The percentage of defendants convicted decreased from 82.2 in 1938 to 77.3 in 1939, increased to 89.3 in 1941,

and decreased to 79.4 in 1942. In 1942, 77.9 percent of all defendants entered a plea of guilty, whereas only 1.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past five years, 49.9 percent were placed on probation or given a suspended sentence. The percentages for 1941 and 1942 fell below this figure, and the percentages for 1938, 1939, and 1940 were somewhat higher. Of all defendants convicted of major offenses during the past five years, 27.5 percent were sentenced to a State prison or reformatory.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding four years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past five years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics for all years except 1942 based on reports for all of the 10 counties of the State. Statistics for 1942 based on reports from 9 counties which contained 96.8 percent of the 1940 population of the State]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	335	337	432	436	496	72.4	69.7	87.9	89.3	103.0
murder.....	-	1	1	8	3	-	0.2	0.2	1.6	0.6
manslaughter.....	5	3	2	4	4	1.1	0.6	0.4	0.8	0.8
burglary.....	6	10	8	15	15	1.3	2.1	1.6	3.1	3.1
aggravated assault.....	23	19	13	18	15	5.0	3.9	2.6	3.7	3.1
larceny.....	89	79	90	109	150	19.2	16.4	18.3	22.3	31.1
larceny, except auto theft.....	57	59	98	78	105	12.3	12.2	19.9	16.0	21.8
auto theft.....	13	15	24	20	16	2.8	3.1	4.9	4.1	3.3
embezzlement and fraud.....	40	32	54	74	75	8.7	6.6	11.0	15.1	15.6
receiving, etc.....	3	7	4	5	5	0.6	1.4	0.8	1.0	1.0
counterfeiting.....	8	18	20	10	10	1.7	3.7	4.1	2.0	2.1
other major offenses.....	25	34	27	29	30	5.4	7.0	5.5	5.9	6.2
for major offenses.....	66	60	91	66	68	14.3	12.4	18.5	13.5	14.1
DEFENDANTS CONVICTED										
Total.....	266	301	381	337	388	57.5	62.3	77.5	69.0	80.6
murder.....	-	-	1	6	1	-	-	0.2	1.2	0.2
manslaughter.....	3	3	1	3	4	0.6	0.6	0.2	0.6	0.8
burglary.....	5	9	8	13	11	1.1	1.9	1.6	2.7	2.3
aggravated assault.....	21	17	12	14	11	4.5	3.5	2.4	2.9	2.3
larceny.....	76	73	86	95	119	16.4	15.1	17.5	19.4	24.7
larceny, except auto theft.....	46	57	92	69	89	9.9	11.8	18.7	14.1	18.5
auto theft.....	7	13	21	17	14	1.5	2.7	4.3	3.5	2.9
embezzlement and fraud.....	26	26	43	32	52	5.6	5.4	8.7	6.6	10.8
receiving, etc.....	3	7	3	4	4	0.6	1.4	0.6	0.8	0.8
counterfeiting.....	6	17	18	9	10	1.3	3.5	3.7	1.8	2.1
other major offenses.....	22	29	20	20	24	4.8	6.0	4.1	4.1	5.0
for major offenses.....	51	50	76	55	49	11.0	10.3	15.5	11.3	10.2

Based on estimate of civilian population for counties reporting.

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--NEW HAMPSHIRE

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	335	100.0	337	100.0	432	100.0	436	100.0	496	100.0
Disposed of without conviction.....	69	20.6	36	10.7	51	11.8	99	22.7	108	21.8
Dismissed.....	45	13.4	31	9.2	38	8.8	86	19.7	80	16.1
Acquitted by court (jury waived).....	2	0.6	-	-	1	0.2	-	-	2	0.4
Acquitted by jury.....	5	1.5	1	0.3	6	1.4	9	2.1	8	1.6
Other no-penalty disposition.....	17	5.1	4	1.2	6	1.4	4	0.9	18	3.6
Convicted and sentenced.....	266	79.4	301	89.3	381	88.2	337	77.3	388	78.2
Pleaded guilty.....	261	77.9	274	81.3	368	85.2	334	76.6	353	71.2
Found guilty by court (jury waived).....	-	-	18	5.3	1	0.2	-	-	3	0.6
Found guilty by jury.....	5	1.5	9	2.7	12	2.8	3	0.7	32	6.4

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	266	100.0	301	100.0	381	100.0	337	100.0	388	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	69	25.9	83	27.6	104	27.3	91	27.0	113	29.1
Probation or suspended sentence.....	132	49.6	130	43.2	202	53.0	176	52.2	195	50.3
Local jail or workhouse.....	52	19.5	66	21.9	66	17.3	55	16.3	70	18.0
Fine or costs only.....	9	3.4	7	2.3	8	2.1	12	3.6	8	2.1
Institution for juvenile delinquents only.	2	0.8	3	1.0	1	0.3	3	0.9	1	0.3
Other sentence.....	2	0.8	12	4.0	-	-	-	-	1	0.3

Table 4. DISPOSITION IN SUPERIOR COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juveniles delinquents only	
		Total	Dismissed	Acquitted		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	433	99	69	2	9	19	334	322	8	9	334	-	70	166	55	38	2	
Major offenses.....	335	69	45	2	5	17	266	261	-	5	266	-	69	132	52	9	2	
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Manslaughter.....	5	2	1	-	-	1	3	3	-	-	3	-	-	1	-	2	-	
Robbery.....	6	1	-	1	-	-	5	5	-	-	5	-	4	-	1	-	-	
Aggravated assault.....	23	2	1	-	-	1	21	21	-	-	21	-	2	13	3	2	1	
Burglary.....	89	13	10	-	-	3	76	74	-	2	76	-	24	36	16	-	-	
Larceny, except auto theft.	57	11	5	-	-	6	46	46	-	-	46	-	10	23	13	-	-	
Auto theft.....	13	6	6	-	-	-	7	7	-	-	7	-	-	5	-	-	-	
Embezzlement and fraud.....	40	14	12	1	1	-	26	26	-	-	26	-	6	17	2	1	-	
Stolen property, receiving, etc.....	3	-	-	-	-	-	3	3	-	-	3	-	1	2	-	-	-	
Forgery and counterfeiting.....	8	2	-	-	-	2	6	6	-	-	6	-	1	1	3	1	-	
Rape.....	25	3	2	-	-	1	22	21	-	1	22	-	11	5	6	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	43	4	-	-	3	1	39	38	-	1	39	-	8	25	5	1	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	
Other major offense.....	22	11	8	-	1	2	11	10	-	1	11	-	2	3	3	2	1	
Abortion.....	2	1	1	-	-	-	1	1	-	-	1	-	-	-	-	1	-	
Arson.....	14	8	5	-	1	2	6	6	-	-	6	-	1	2	2	-	1	
Bigamy.....	4	-	-	-	-	-	4	3	-	1	4	-	1	1	1	1	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offense ²	98	30	24	-	4	2	68	61	3	4	68	-	1	34	3	29	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors and are usually tried in minor courts.

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JUDICIAL CRIMINAL STATISTICS: 1942

NEW JERSEY

A total of 5,872 defendants were disposed of for major offenses in the trial courts of New Jersey during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 5,872 defendants, 4,399, or 74.9 percent, were convicted and sentenced; and 1,672, or 38.0 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence, and 1,504, or 34.2 percent, were sentenced to a State prison or reformatory. Of the 3,522 defendants charged with major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 2,761, or 78.4 percent, were convicted; and of the 1,101 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 697, or 63.3 percent, were convicted.

Although the number of defendants disposed of for major offenses per 100,000 of the population was virtually the same in 1938 and 1942 (148.8 and 148.1, respectively), this rate has fluctuated from year to year with a peak of 177.3 in 1940. The rate for defendants convicted followed a similar pattern of variation, with a figure of 135.0 for the same peak year. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offenses groups together accounting for 35.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 77.8 percent of all defendants disposed of for major offenses were convicted. The

percentage of defendants convicted decreased from 80.2 in 1938 to 74.9 in 1942, with the exception of a slight increase in 1941. In 1942, 60.6 percent of all defendants entered a plea of guilty, whereas only 3.4 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 36.7 percent were placed on probation or given a suspended sentence. The percentages for 1941 and 1939 fell below this figure, and the percentages for 1942 and 1940 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 34.7 percent were sentenced to a State prison or reformatory.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

[Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 21 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 19 counties, 93.8 percent; 1941, 20 counties, 94.8 percent; 1940, 20 counties, 98.3 percent; 1939 and 1938, all counties, 100.0 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	5,872	5,291	7,250	5,870	6,104	148.1	138.0	177.3	142.1	148.8
Murder.....	65	57	51	34	43	1.6	1.4	1.2	0.8	1.0
Manslaughter.....	80	101	103	70	110	2.0	2.5	2.5	1.7	2.7
Robbery.....	268	354	400	397	504	6.8	8.9	9.8	9.6	12.3
Aggravated assault.....	723	654	743	661	674	18.3	16.4	18.2	16.0	16.4
Burglary.....	1,038	963	1,666	1,298	1,361	26.2	24.2	40.7	31.4	33.2
Larceny, except auto theft.....	1,061	831	1,193	1,054	1,046	26.8	20.9	29.2	25.5	25.5
Auto theft.....	305	343	398	226	262	7.7	8.6	9.7	5.5	6.4
Embezzlement and fraud.....	499	408	956	674	506	12.6	10.3	23.4	16.3	12.3
Stolen property, receiving, etc.....	176	179	152	168	205	4.4	4.5	3.7	4.1	5.0
Forgery and counterfeiting.....	175	172	127	111	167	4.4	4.3	3.1	2.7	4.1
Rape.....	231	242	220	201	182	5.8	6.1	5.4	4.9	4.4
Other major offenses.....	1,249	987	1,241	976	1,044	31.5	24.8	30.3	23.6	25.4
DEFENDANTS CONVICTED										
Total.....	4,399	4,117	5,519	4,700	4,896	111.0	103.5	135.0	113.8	119.3
Murder.....	47	41	35	23	37	1.2	1.0	0.9	0.6	0.9
Manslaughter.....	42	43	40	36	55	1.1	1.1	1.0	0.9	1.3
Robbery.....	219	270	329	322	394	5.5	6.8	8.0	7.6	9.6
Aggravated assault.....	444	415	457	454	471	11.2	10.4	11.2	11.0	11.5
Burglary.....	918	874	1,502	1,192	1,224	23.2	22.0	36.7	28.9	29.8
Larceny, except auto theft.....	826	673	989	908	913	20.8	16.9	24.2	22.0	22.3
Auto theft.....	266	319	308	199	237	6.7	8.0	7.5	4.8	5.8
Embezzlement and fraud.....	279	266	580	435	382	7.0	7.2	14.2	10.6	9.3
Stolen property, receiving, etc.....	121	125	102	119	141	3.1	3.1	2.5	2.9	3.4
Forgery and counterfeiting.....	132	119	101	95	125	3.3	3.0	2.5	2.3	3.0
Rape.....	164	179	156	150	120	4.1	4.5	3.9	3.6	2.9
Other major offenses.....	941	773	918	764	797	23.7	19.4	22.4	18.5	19.4

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940 for counties reporting.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--NEW JERSEY

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,872	100.0	5,291	100.0	7,250	100.0	5,870	100.0	6,104	100.0
Disposed of without conviction.....	1,473	25.1	1,174	22.2	1,731	23.9	1,170	19.9	1,208	19.8
Dismissed.....	911	15.5	739	14.0	1,132	15.6	702	12.0	661	11.0
Acquitted by court (jury waived).....	307	5.2	241	4.6	302	4.2	254	4.3	292	4.7
Acquitted by jury.....	160	2.7	166	3.1	185	2.6	188	3.2	201	3.3
Other no-penalty disposition.....	95	1.6	28	0.5	112	1.5	26	0.4	84	1.4
Convicted and sentenced.....	4,399	74.9	4,117	77.8	5,519	76.1	4,700	80.1	4,896	80.2
Plead guilty.....	3,560	60.6	3,542	66.9	4,648	64.1	4,103	69.9	4,207	68.8
Found guilty by court (jury waived).....	642	10.9	401	7.6	598	8.2	374	6.4	386	6.3
Found guilty by jury.....	197	3.4	174	3.3	278	3.8	223	3.8	303	5.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[Percent not shown where less than 0.1]

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	4,399	100.0	4,117	100.0	5,519	100.0	4,700	100.0	4,896	100.0
Death penalty.....	1	-	3	0.1	-	-	2	-	-	-
Prison or reformatory.....	1,504	34.2	1,498	36.1	1,960	35.5	1,555	33.1	1,698	34.7
Probation or suspended sentence.....	1,672	38.0	1,399	34.0	2,098	38.0	1,704	36.3	1,797	36.7
Local jail or workhouse.....	809	18.4	796	19.3	1,053	19.1	944	20.1	1,044	21.3
Fine or costs only.....	395	9.0	408	9.9	841	15.2	402	8.6	308	6.3
Institution for juvenile delinquents only.	5	0.1	11	0.3	51	0.9	50	1.7	33	0.7
Other sentence.....	19	0.3	12	0.3	16	0.3	19	0.3	16	0.3

Table 4. DISPOSITION IN TRIAL COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fines or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	9,224	2,816	1,866	504	191	255	6,408	4,816	1,369	223	6,408	1	1,631	2,608	1,328	819	6	1
Major offenses.....	5,872	1,473	911	307	160	95	4,399	3,560	642	197	4,399	1	1,504	1,672	809	395	5	1
Murder.....	65	18	3	-	14	1	47	25	-	22	47	1	46	-	-	-	-	-
Manslaughter.....	80	38	16	7	14	1	42	33	1	8	42	-	11	15	12	4	-	-
Robbery.....	268	49	24	18	3	4	219	154	43	22	219	-	154	30	32	3	-	-
Aggravated assault.....	725	281	131	103	31	16	444	324	97	23	444	-	96	152	132	57	-	-
Burglary.....	1,038	120	68	15	10	7	918	817	77	24	918	-	380	358	129	50	1	-
Larceny, except auto theft.	1,061	285	180	34	10	11	826	689	147	10	826	-	228	352	150	92	3	-
Auto theft.....	805	39	19	14	2	4	266	225	40	1	266	-	116	99	38	11	2	-
Embezzlement and fraud.....	499	220	183	11	10	17	279	246	30	3	279	-	52	166	48	14	-	-
Stolen property, receiving, etc.....	176	56	22	14	7	12	121	89	21	11	121	-	15	60	14	32	-	-
Forgery and counterfeiting.....	175	43	32	8	-	3	132	121	10	1	132	-	56	45	31	10	-	-
Rape.....	231	67	34	10	21	2	184	119	29	16	164	-	85	49	23	5	-	-
Commercialized vice.....	236	54	29	14	11	-	182	140	20	22	182	-	65	65	38	28	-	-
Other sex offenses.....	680	192	116	48	16	12	488	385	97	26	488	-	135	193	94	66	-	-
Violating drug laws.....	22	-	-	-	-	-	22	19	3	-	22	-	6	7	9	-	-	-
Carrying, etc., weapons.....	173	27	14	10	3	-	146	118	25	3	146	-	25	47	61	23	-	-
Other major offenses.....	138	35	21	1	8	5	103	96	2	6	103	-	44	35	19	5	-	-
Abortion.....	32	12	3	-	6	3	20	15	1	4	20	-	2	6	9	3	-	-
Arson.....	25	5	2	1	2	-	20	19	1	-	20	-	1	16	3	-	-	-
Sigamy.....	18	9	7	-	-	2	9	9	-	-	9	-	3	5	1	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	46	1	1	-	-	-	47	47	-	-	47	-	34	7	4	2	-	-
Kidnaping.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	14	7	7	-	-	-	7	6	-	1	7	-	4	1	2	-	-	-
Minor offenses ²	3,352	1,843	955	197	31	160	2,009	1,286	727	86	2,009	-	127	986	617	424	1	-

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

3-36411

JUDICIAL CRIMINAL STATISTICS: 1942

NEW MEXICO

A total of 641 defendants were disposed of for major offenses in the district courts of New Mexico during the calendar year 1942, according to reports received from clerks of court by the Bureau of the Census. Of these 641 defendants, 435, or 67.9 percent, were convicted and sentenced; and 236, or 37.1 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 377 defendants disposed of for major crimes against property in 1942 (robbery, larceny, auto theft, embezzlement, fraud, forgery, and counterfeiting) 274, or 72.7 percent, were convicted; and of the 186 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 109, or 58.6 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 189.7 in 1938 to 123.1 in 1942, although there were increases in 1939 and 1941. The rate for defendants convicted of major offenses decreased from 142.5 in 1938 to 83.5 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, this offense group accounting for 28.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 71.0 percent of all defendants disposed of for major crimes were convicted. The percentage convicted decreased from 75.1 in 1938 to 67.9 in 1942. In the same period, the proportion of defendants dismissed increased from 19.2 percent in 1938 to

24.8 percent in 1941 and to 24.6 percent in 1942. In 1942, 58.3 percent of all defendants entered a plea of guilty, whereas only 7.3 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 52.8 percent were sentenced to a State prison or reformatory. The percentages for 1941, 1940, and 1939 fell below this amount, while those for 1942 and 1938 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 34.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 31 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 1941, and 1940, all counties, 100.0 percent; 1939 and 1938, 30 counties, 98.0 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	641	974	969	1,008	955	123.1	185.6	182.2	196.6	189.7
murder.....	25	23	27	18	50	4.8	4.4	5.1	3.5	9.9
manslaughter.....	20	29	23	23	24	3.8	5.5	4.3	4.5	4.8
robbery.....	10	33	32	23	24	1.9	6.3	6.0	4.5	4.8
aggravated assault.....	92	114	100	115	126	17.7	21.7	18.8	22.4	25.0
larceny.....	30	79	90	98	81	5.8	15.1	16.9	19.1	16.1
larceny, except auto theft.....	182	271	296	343	288	34.9	51.6	55.7	66.9	57.2
auto theft.....	26	55	43	43	36	5.0	10.5	8.1	8.4	7.2
embezzlement and fraud.....	46	78	79	83	69	8.8	14.9	14.9	16.2	13.7
on property, receiving, etc.....	14	24	28	25	50	2.7	4.6	5.3	4.9	9.9
forgery and counterfeiting.....	69	118	127	107	81	13.2	22.5	23.9	20.9	16.1
counterfeiting.....	49	63	40	52	58	9.4	12.0	7.5	10.1	11.5
major offenses.....	78	87	84	78	68	15.0	16.6	15.8	15.2	13.5
DEFENDANTS CONVICTED										
Total.....	435	665	685	728	717	83.5	126.7	128.8	142.0	142.5
murder.....	16	12	18	13	35	3.1	2.3	3.4	2.5	7.0
manslaughter.....	12	18	18	12	13	2.3	3.4	3.4	2.3	2.6
robbery.....	8	22	27	17	21	1.5	4.2	5.1	3.3	4.2
aggravated assault.....	57	62	52	54	66	10.9	11.8	9.8	10.5	13.1
larceny.....	23	63	78	79	66	4.4	12.0	14.7	15.4	13.1
larceny, except auto theft.....	140	195	199	271	242	26.9	37.2	37.4	52.9	48.1
auto theft.....	24	48	37	34	32	4.6	9.1	7.0	6.6	6.4
embezzlement and fraud.....	25	46	56	56	47	4.8	8.8	10.5	10.9	9.3
on property, receiving, etc.....	9	20	17	17	40	1.7	3.8	3.2	3.3	7.9
forgery and counterfeiting.....	45	94	101	91	73	8.6	17.9	19.0	17.7	14.5
counterfeiting.....	24	40	25	34	31	4.6	7.6	4.7	6.6	6.2
major offensees.....	52	45	57	50	51	10.0	8.6	10.7	9.8	10.1

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.
Based on Population census of 1940.
Based on estimate of total population for counties reporting.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	641	100.0	974	100.0	969	100.0	1,008	100.0	955	100.0
Disposed of without conviction.....	206	32.1	309	31.7	284	29.3	280	27.8	236	24.7
Dismissed.....	158	24.6	242	24.8	223	23.0	237	23.5	183	19.2
Acquitted by court (jury waived).....	1	0.2	5	0.5	9	0.9	4	0.4	1	0.1
Acquitted by jury.....	39	6.1	53	5.4	36	3.7	39	3.9	51	5.3
Other no-penalty disposition.....	8	1.2	9	0.9	16	1.7	-	-	3	0.3
Convicted and sentenced.....	435	67.9	665	68.3	685	70.7	728	72.2	717	75.1
Pleading guilty ¹	374	58.3	569	58.4	615	63.5	661	65.6	622	65.1
Found guilty by court (jury waived).....	14	2.2	36	3.7	25	2.6	5	0.5	33	3.5
Found guilty by jury.....	47	7.3	60	6.2	45	4.6	62	6.2	62	6.5

¹ Includes one plea of nolo contendere for carrying, etc., weapons.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	435	100.0	665	100.0	685	100.0	728	100.0	717	100.0
Death penalty.....	-	-	1	0.2	-	-	1	0.1	4	0.6
Prison or reformatory.....	236	54.3	342	51.4	360	52.6	377	51.8	389	54.3
Probation or suspended sentence.....	131	30.1	229	34.4	237	34.6	276	37.9	248	34.6
Local jail or workhouse.....	26	6.0	45	6.8	47	6.9	40	5.5	39	5.4
Fine or costs only.....	18	4.1	25	3.8	13	1.9	24	3.3	14	2.0
Institution for juvenile delinquents only.	20	4.6	23	3.5	28	4.1	10	1.4	23	3.2
Other sentence.....	4	0.9	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED									
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or work-house	Fine or costs only	Institution for juvenile delinquents only	Other	
		Total	Dis-missed	Acquitted--		Other no-penalty	Total	Pleaded guilty ²	Found guilty--											
				By court ¹	By jury				By court ¹	By jury										
All offenses.....	1,039	351	288	2	45	16	688	617	19	52	688	-	254	245	78	73	30			
Major offenses.....	641	206	158	1	39	8	435	374	14	47	435	-	236	131	26	18	20			
Murder.....	25	9	4	-	5	-	16	8	-	8	16	-	13	3	-	-	-			
Manslaughter.....	20	8	3	-	5	-	12	5	-	7	12	-	10	2	-	-	-			
Robbery.....	10	2	2	-	-	-	8	8	-	-	8	-	7	1	-	-	-			
Aggravated assault.....	92	35	30	-	5	-	57	54	1	2	57	-	24	21	3	6	3			
Burglary.....	30	7	6	-	1	-	23	18	3	2	23	-	10	7	1	-	5			
Larceny, except auto theft.....	182	42	33	1	7	1	140	122	8	10	140	-	73	44	7	7	7			
Auto theft.....	26	2	1	-	-	1	24	22	-	2	24	-	14	6	3	-	1			
Embezzlement and fraud.....	46	21	17	-	2	2	25	24	-	1	25	-	19	6	-	-	-			
Stolen property, receiving, etc.....	14	5	5	-	-	-	9	7	1	1	9	-	8	1	-	-	-			
Forgery and counterfeiting.....	69	24	19	-	2	3	45	43	-	2	45	-	28	16	-	-	1			
Rape.....	49	25	18	-	7	-	24	17	-	7	24	-	19	3	1	1	-			
Commercialized vice.....	15	4	3	-	1	-	11	10	1	-	11	-	1	2	7	-	1			
Other sex offenses.....	17	6	5	-	-	1	11	10	-	1	11	-	3	4	1	1	2			
Violating drug laws.....	4	1	1	-	-	-	3	2	-	1	3	-	3	-	-	-	-			
Carrying, etc., weapons....	28	7	6	-	1	-	21	19	-	2	21	-	2	12	2	3	-			
Other major offenses.....	14	8	5	-	3	-	6	5	-	1	6	-	2	3	1	-	-			
Abortion.....	3	2	-	-	2	-	1	-	-	1	1	-	-	1	-	-	-			
Arson.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Bigamy.....	2	-	-	-	-	-	2	2	-	-	2	-	1	1	-	-	-			
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Escape and jail break.....	3	1	1	-	-	-	2	2	-	-	2	-	1	1	-	-	-			
Kidnaping.....	2	2	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-			
Perjury.....	2	1	1	-	-	-	1	1	-	-	1	-	-	-	1	-	-			
Minor offenses ³	398	145	130	1	6	8	253	243	5	5	253	-	18	114	52	55	10			

¹ Jury waived.² Includes one plea of nolo contendere for carrying, etc., weapons.³ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

NEW YORK

A total of 8,779 defendants were disposed of for major offenses in the county trial courts (including the 5 counties that are boroughs of New York City) during the calendar year 1942, according to reports received from the New York State Department of Correction by the Bureau of the Census. Of these 8,779 defendants, 6,627, or 75.5 percent, were convicted and sentenced; and 2,750, or 31.5 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 6,077 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 4,829, or 79.5 percent, were convicted; and of the 1,562 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 1,027, or 65.7 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend, with the exception of 1940, from 79.4 in 1938 to 58.2 in 1942. The rate for defendants convicted of major offenses increased from 58.0 in 1938 to 59.3 in 1939, and then decreased steadily to 51.5 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, this offense group accounting for 0.9 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 74.8 percent of all defendants disposed of for major crimes were convicted. In 1938, 73.0 percent of the defendants were convicted; in

1939, 78.0 percent; in 1940, 72.6 percent; in 1941, 75.3 percent; and in 1942, 75.5 percent. (See table 2.) Data showing procedural outcome for defendants convicted are not available for New York.

Of all defendants convicted of major offenses during the past 5 years, 41.7 percent were sentenced to a State prison or reformatory. The percentage so sentenced decreased from 43.6 in 1938 to 40.3 in 1941, and then increased to 41.5 in 1942. Of all defendants convicted of major offenses during the past 5 years, 35.2 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

[Statistics for all years except 1939 based on reports for all of the 62 counties of the State. Statistics for 1939 based on complete reports from 57 counties and partial reports from the remaining 5 counties; these reports together covered approximately 99.0 percent of the 1940 population of the State. Rate not shown where less than 0.1]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	8,779	9,432	10,797	10,153	10,687	68.2	72.0	80.1	76.0	79.4
Murder.....	141	114	146	106	112	1.1	0.9	1.1	0.8	0.8
Manslaughter.....	182	229	210	222	222	1.4	1.7	1.6	1.7	1.7
Robbery.....	799	818	1,179	947	1,169	6.2	6.2	8.7	7.1	8.7
Aggravated assault.....	900	737	787	816	924	7.0	5.6	5.8	6.1	6.9
Burglary.....	1,447	1,817	2,359	2,413	2,491	11.2	13.9	17.5	18.1	18.5
Larceny, except auto theft.....	2,713	2,485	2,799	2,375	2,453	21.1	19.0	20.8	17.8	18.2
Auto theft.....	733	778	789	732	653	5.7	5.9	5.9	5.5	4.9
Embezzlement and fraud.....	3	20	30	17	41	-	0.2	0.2	0.1	0.3
Stolen property, receiving, etc.....	157	174	221	177	231	1.2	1.3	1.6	1.3	1.7
Forgery and counterfeiting.....	225	357	505	408	446	1.7	2.7	3.7	3.1	3.3
Rape.....	339	367	433	437	398	2.6	2.8	3.2	3.3	3.0
Other major offenses.....	1,140	1,536	1,339	1,503	1,547	8.9	11.7	9.9	11.2	11.5
DEFENDANTS CONVICTED										
Total.....	6,627	7,102	7,834	7,924	7,803	51.5	54.2	58.1	59.3	58.0
Murder.....	88	65	85	61	67	0.7	0.5	0.6	0.5	0.5
Manslaughter.....	117	163	149	139	125	0.9	1.2	1.1	1.0	0.9
Robbery.....	587	579	700	691	793	4.6	4.4	5.2	5.2	5.9
Aggravated assault.....	622	526	484	568	607	4.8	4.0	3.6	4.3	4.5
Burglary.....	1,134	1,448	1,883	2,058	2,060	8.8	11.1	14.0	15.4	15.3
Larceny, except auto theft.....	2,252	2,190	2,294	2,026	2,045	17.6	16.7	17.0	15.2	15.2
Auto theft.....	610	659	665	623	535	4.7	5.0	4.9	4.7	4.0
Embezzlement and fraud.....	1	14	10	5	15	-	0.1	0.1	-	0.1
Stolen property, receiving, etc.....	83	96	114	85	80	0.6	0.7	0.8	0.6	0.6
Forgery and counterfeiting.....	152	284	366	327	333	1.2	2.2	2.7	2.4	2.5
Rape.....	200	239	243	294	249	1.6	1.8	1.8	2.2	1.9
Other major offenses.....	771	839	841	1,047	894	6.0	6.4	6.2	7.8	6.6

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of population covered by the reports.

⁴ Based on estimate of total population of the State.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	8,779	100.0	9,432	100.0	10,797	100.0	10,153	100.0	10,687	100.0
Disposed of without conviction.....	2,152	24.5	2,330	24.7	2,963	27.4	2,229	22.0	2,884	27.0
Dismissed.....	1,689	19.2	1,730	18.3	1,413	13.1	1,332	13.1	1,986	18.6
Acquitted by court (jury waived) ¹	-	-	-	-	-	-	-	-	-	-
Acquitted by jury.....	246	2.8	311	3.3	510	4.7	573	5.6	765	7.2
Other no-penalty disposition.....	217	2.5	289	3.1	1,040	9.6	324	3.2	133	1.2
Convicted and sentenced.....	6,627	75.5	7,102	75.3	7,834	72.6	7,924	78.0	7,803	73.0
Plead guilty.....	-	-	-	-	-	-	-	-	-	-
Found guilty by court (jury waived) ¹	-	-	-	-	-	-	-	-	-	-
Found guilty by jury.....	-	-	-	-	-	-	-	-	-	-

¹ Item not applicable for this State.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	6,627	100.0	7,102	100.0	7,834	100.0	7,924	100.0	7,803	100.0
Death penalty.....	18	0.3	21	0.3	24	0.3	23	0.3	20	0.3
Prison or reformatory.....	2,750	41.5	2,865	40.3	3,203	40.9	3,338	42.1	3,400	43.6
Probation or suspended sentence.....	2,367	35.7	2,494	35.1	2,845	36.3	2,772	35.0	2,633	33.7
Local jail or workhouse.....	1,454	21.9	1,659	23.4	1,719	21.9	1,729	21.8	1,699	21.8
Fine or costs only.....	32	0.5	45	0.6	29	0.4	55	0.7	20	0.3
Institution for juvenile delinquents only.	-	-	-	-	-	-	-	-	-	-
Other sentence.....	6	0.1	18	0.3	14	0.2	7	0.1	31	0.4

Table 4. DISPOSITION IN TRIAL COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Plead guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	10,302	2,333	1,811	-	265	257	7,969	2,721	-	2,698	7,969	18	2,850	3,058	1,984	52	-	-	
Major offense.....	8,779	2,152	1,689	-	246	217	6,627	-	-	-	6,627	18	2,750	2,367	1,454	32	-	-	
Murder.....	141	53	36	-	8	9	88	-	-	-	88	17	68	-	-	-	-	-	
Manslaughter.....	182	65	35	-	25	5	117	-	-	-	117	-	96	13	7	1	-	-	
Robbery.....	799	212	163	-	32	17	587	-	-	-	587	-	522	45	20	-	-	-	
Aggravated assault.....	900	278	185	-	58	35	622	-	-	-	622	-	331	141	144	6	-	-	
Burglary.....	1,447	313	274	-	16	23	1,134	-	-	-	1,134	-	454	437	236	6	-	-	
Larceny, except auto theft..	2,713	451	409	-	18	24	2,262	-	-	-	2,262	-	588	1,053	616	4	-	-	
Auto theft.....	733	123	77	-	15	31	610	-	-	-	610	-	152	316	141	1	-	-	
Embezzlement and fraud.....	3	2	2	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-	
Stolen property, receiving, etc.....	157	74	60	-	10	4	83	-	-	-	83	-	26	36	18	3	-	-	
Forgery and counterfeiting..	225	73	58	-	5	10	152	-	-	-	152	-	73	59	20	-	-	-	
Rape.....	339	139	111	-	15	13	200	-	-	-	200	-	113	45	41	1	-	-	
Commercialized vice.....	24	6	5	-	1	-	18	-	-	-	18	-	10	1	6	1	-	-	
Other sex offenses.....	314	77	48	-	13	16	237	-	-	-	237	-	140	46	50	-	-	-	
Violating drug laws.....	24	-	-	-	-	-	24	-	-	-	24	-	8	4	12	-	-	-	
Carrying, etc., weapons.....	335	64	53	-	5	6	271	-	-	-	271	-	65	104	97	5	-	-	
Other major offenses ²	443	222	173	-	25	24	221	-	-	-	221	1	104	66	46	4	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ³	1,523	181	122	-	19	40	1,342	-	-	-	1,342	-	100	691	530	20	-	-	

¹ Item not applicable for this State.² Classification by offense not available.³ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

NORTH DAKOTA

Reports on 364 defendants disposed of for major offenses in the district courts of North Dakota during the calendar year 1942 were received by the Bureau of the Census from the clerks of court. Of these 364 defendants, 320, or 87.9 percent, were convicted and sentenced. Of the 320 defendants convicted and sentenced, 169, or 52.8 percent, were sentenced to a State prison or reformatory. Of the 265 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 242, or 91.3 percent, were convicted. Of the 53 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 47, or 88.7 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 88.6 in 1938 to 92.6 in 1939 and then decreased steadily to 84.1 in 1942. The rate for defendants convicted of major offenses followed the same general trend, increasing from 73.3 in 1938 to 80.1 in 1939, and decreasing to 73.3 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, this offense group accounting for 32.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 86.0 percent of all defendants disposed of for major crimes were convicted. In 1938, 82.6 percent of the defendants were convicted; in 1939,

86.5 percent; in 1940, 88.6 percent; in 1941, 85.0 percent; and in 1942, 87.9 percent. In 1942, 84.1 percent of all defendants entered a plea of guilty, whereas only 3.3 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 54.5 percent were sentenced to a State prison or reformatory. This percentage has fluctuated around 52 percent since 1938, with the exception of a rise to 61.5 percent in 1940. Only 14.0 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

This release presents data on those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED AND DEFENDANTS CONVICTED OF MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

[Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 53 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, all counties, 100.0 percent; 1941, 51 counties, 97.3 percent; 1940, 45 counties, 88.0 percent; 1939, 52 counties, 98.5 percent; 1938, 50 counties, 93.8 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	364	413	481	584	533	61.4	69.3	84.2	92.6	88.6
Murder.....	4	4	3	4	4	0.7	0.7	0.5	0.6	0.7
Manslaughter.....	6	8	3	5	4	1.0	1.3	0.5	0.8	0.7
Robbery.....	11	8	11	17	12	1.9	1.3	1.9	2.7	2.0
Aggravated assault.....	17	10	18	23	29	2.9	1.7	3.2	3.6	4.8
Burglary.....	45	57	90	98	82	7.6	9.6	15.8	15.5	13.7
Larceny, except auto theft.....	119	130	131	189	134	20.1	21.8	23.0	30.0	22.3
Auto theft.....	8	27	16	27	31	1.3	4.5	2.8	4.3	5.2
Embezzlement and fraud.....	33	35	54	46	55	5.6	5.9	9.5	7.3	9.2
Stolen property, receiving, etc.....	6	3	8	13	8	1.0	0.5	1.4	2.1	1.3
Forgery and counterfeiting.....	43	46	44	35	43	7.3	7.7	7.7	5.5	7.2
Rape.....	26	28	25	47	38	4.4	4.7	4.4	7.5	6.3
Other major offenses.....	46	57	78	80	93	7.8	9.6	13.7	12.7	15.5
DEFENDANTS CONVICTED										
Total.....	320	351	426	505	440	54.0	58.9	74.6	80.1	73.3
Murder.....	3	3	2	3	3	0.5	0.5	0.4	0.5	0.5
Manslaughter.....	5	8	3	5	2	0.8	1.3	0.5	0.8	0.3
Robbery.....	11	6	10	16	8	1.9	1.0	1.8	2.5	1.3
Aggravated assault.....	17	10	14	11	24	2.9	1.7	2.5	1.7	4.0
Burglary.....	42	50	89	93	72	7.1	8.4	15.6	14.7	12.0
Larceny, except auto theft.....	108	109	122	169	122	18.2	18.3	21.4	26.8	20.3
Auto theft.....	8	22	15	27	26	1.3	3.7	2.6	4.3	4.3
Embezzlement and fraud.....	27	27	47	40	49	4.6	4.5	8.2	6.3	8.2
Stolen property, receiving, etc.....	5	3	7	12	7	0.8	0.5	1.2	1.9	1.2
Forgery and counterfeiting.....	41	43	42	32	36	6.9	7.2	7.4	5.1	6.0
Rape.....	22	22	20	26	28	3.7	3.7	3.5	4.1	4.7
Other major offenses.....	31	48	55	71	63	5.2	8.1	9.6	11.3	10.5

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940 for counties reporting.

³ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--NORTH DAKOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	364	100.0	413	100.0	481	100.0	584	100.0	533	100.0
Disposed of without conviction.....	44	12.1	62	15.0	55	11.4	79	13.5	93	17.4
Dismissed.....	30	8.2	54	13.0	42	8.7	60	10.3	78	14.6
Acquitted by court (jury waived).....	4	1.1	-	-	2	0.4	1	0.2	-	-
Acquitted by jury.....	5	1.4	4	1.0	9	1.9	9	1.5	12	2.2
Other no-penalty disposition.....	5	1.4	4	1.0	2	0.4	9	1.5	3	0.5
Convicted and sentenced.....	320	87.9	351	85.0	426	88.6	505	86.5	440	82.6
Plead guilty.....	306	84.1	339	82.1	400	83.2	480	82.2	414	77.7
Found guilty by court (jury waived).....	2	0.5	2	0.5	-	-	3	0.5	10	1.9
Found guilty by jury.....	12	3.3	10	2.4	26	5.4	22	3.8	16	3.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced.....	320	100.0	351	100.0	426	100.0	505	100.0	440	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	169	52.8	183	52.1	262	61.5	270	53.5	228	51.8
Probation or suspended sentence.....	50	15.6	69	19.6	50	11.7	71	14.1	55	12.5
Local jail or workhouse.....	59	18.4	76	21.7	77	18.1	108	21.4	108	24.4
Fine or costs only.....	16	5.0	10	2.8	8	1.9	22	4.4	10	2.2
Institution for juvenile delinquents only.....	26	8.1	23	6.6	29	6.8	34	6.7	39	8.9
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juveniles delinquents only	Other
		Total	Dismissed	Acquitted--		Other no penalty	Total	Plead guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	740	68	67	8	5	8	652	629	3	20	652	-	177	143	214	90	27	-	
Major offenses.....	364	44	30	4	5	5	320	306	2	12	320	-	169	50	59	16	26	-	
Murder.....	4	1	-	-	1	-	3	3	-	-	3	-	3	-	-	-	-	-	
Manslaughter.....	6	1	-	-	1	-	5	4	-	1	5	-	1	2	1	-	1	-	
Robbery.....	11	-	-	-	-	-	11	11	-	-	11	-	2	3	2	-	4	-	
Aggravated assault.....	17	-	-	-	-	-	17	15	1	1	17	-	4	4	6	3	-	-	
Burglary.....	45	3	3	-	-	-	42	42	-	-	42	-	25	5	6	1	5	-	
Larceny, except auto theft.....	119	11	10	-	1	-	108	105	-	3	108	-	52	16	24	4	12	-	
Auto theft.....	8	-	-	-	-	-	8	8	-	-	8	-	6	-	-	-	2	-	
Embezzlement and fraud.....	33	6	4	-	-	2	27	26	-	1	27	-	11	6	10	-	-	-	
Stolen property, receiving, etc.	6	1	1	-	-	-	5	5	-	-	5	-	3	2	-	-	-	-	
Forgery and counterfeiting.....	43	2	1	-	-	1	41	40	1	-	41	-	30	3	2	5	1	-	
Rape.....	26	4	3	-	1	-	22	17	-	5	22	-	20	2	-	-	-	-	
Commercialized vice.....	3	-	-	-	-	-	3	3	-	-	3	-	-	-	3	-	-	-	
Other sex offenses.....	29	10	4	4	-	2	19	19	-	-	19	-	5	6	4	3	1	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	2	-	-	-	-	-	2	2	-	-	2	-	2	-	-	-	-	-	
Other major offenses.....	12	5	4	-	1	-	7	6	-	1	7	-	5	1	1	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	6	2	2	-	-	-	4	3	-	1	4	-	3	1	-	-	-	-	
Bigamy.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	3	1	1	-	-	-	2	2	-	-	2	-	1	-	1	7	-	-	
Kidnaping.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	376	44	37	4	-	3	332	323	1	6	332	-	8	93	155	74	1	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

OHIO

total of 4,079 defendants were disposed of for offenses in the common pleas courts of Ohio during calendar year 1942, according to reports received from the office of the Secretary of State of Ohio by the Bureau of the Census. Of these 4,079 defendants, 3,194, or 78.3 percent, were convicted and sentenced; and 885, or 21.7 percent, were disposed of by the court during the year without conviction. Of the 3,194 defendants convicted and sentenced, 2,442, or 76.5 percent, were sentenced to a State prison or reformatory; and 752, or 23.5 percent, were sentenced to a county jail. Of the 3,049 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 2,442, or 80.1 percent, were convicted; and of the 660 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 461, or 69.8 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 94.3 in 1938 to 59.0 in 1942. Likewise, the rate for defendants convicted showed a decline from 79.7 in 1938 to 54.3 in 1942. Among defendants disposed of for major offenses during 1942, there were more defendants disposed of for burglary than for any other offense, with 1,492, or 35.4 percent, of the total, and the two offense groups together accounting for 36.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 82.9 percent of all defendants disposed of for major offenses were convicted. In

1938, 84.6 percent of the defendants were convicted; in 1939, 83.3 percent; in 1940, 83.7 percent; in 1941, 83.2 percent; and in 1942, 78.3 percent. In 1942, 67.1 percent of all defendants entered a plea of guilty, whereas only 6.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 45.9 percent were sentenced to a State prison or reformatory. The percentage for 1940 was higher than this figure, and the percentages for 1942, 1941, and 1939 were somewhat lower.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 88 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 87 counties, 99.8 percent; 1941, 84, and 1939, all counties, 100.0 percent; 1938, 87 counties, 99.8 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941 ^a	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁵
DEFENDANTS DISPOSED OF										
Total.....	4,079	4,515	5,320	5,536	6,459	59.0	65.2	77.0	80.2	94.3
Murder.....	70	58	73	72	115	1.0	0.8	1.1	1.0	1.7
Manslaughter.....	179	193	181	175	201	2.6	2.8	2.6	2.5	2.9
Robbery.....	454	452	592	602	778	6.6	6.5	8.6	8.7	11.4
Burglary.....	258	234	271	262	340	3.7	3.4	3.9	3.8	5.0
Larceny.....	969	1,080	1,473	1,497	1,622	14.0	15.6	21.3	21.7	24.5
Theft, except auto theft.....	523	634	692	775	804	7.6	9.2	10.0	11.2	11.7
Auto theft.....	483	499	540	524	661	7.0	7.2	7.8	7.6	9.6
Embezzlement and fraud.....	214	301	318	313	378	3.1	4.3	4.6	4.5	5.5
Forgery, receiving, etc.....	87	76	106	163	157	1.3	1.1	1.5	2.4	2.3
Counterfeiting.....	314	399	504	479	601	4.5	5.8	7.3	6.9	8.8
Other.....	153	157	150	183	191	2.2	2.3	2.2	2.7	2.8
Major offensees.....	370	432	420	491	551	5.3	6.2	6.1	7.1	8.0
DEFENDANTS CONVICTED										
Total.....	3,194	3,755	4,453	4,611	5,462	46.2	54.3	64.5	66.8	79.7
Murder.....	41	36	52	50	89	0.6	0.5	0.8	0.7	1.3
Manslaughter.....	132	161	142	132	169	1.9	2.3	2.1	1.9	2.5
Robbery.....	272	356	499	494	674	5.4	5.1	7.2	7.2	9.8
Burglary.....	184	179	210	199	272	2.7	2.6	3.0	2.9	4.0
Larceny.....	785	955	1,290	1,341	1,492	11.3	13.8	18.7	19.4	21.8
Theft, except auto theft.....	443	548	618	677	706	6.4	7.9	8.9	9.8	10.3
Auto theft.....	395	444	486	454	588	5.7	6.4	7.0	6.6	8.6
Embezzlement and fraud.....	143	199	217	215	268	2.1	2.9	3.1	3.1	3.9
Forgery, receiving, etc.....	67	66	85	135	131	1.0	1.0	1.2	2.0	1.9
Counterfeiting.....	237	335	408	382	512	3.4	4.9	5.9	5.5	7.5
Other.....	104	121	102	135	137	1.5	1.7	1.5	2.0	2.0
Major offensees.....	291	354	344	397	424	4.2	5.1	5.0	5.8	6.2

¹Based on estimate of civilian population for counties reporting.

²Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³Based on Population census of 1940.

⁴Based on estimate of total population of the State.

⁵Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--OHIO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	4,079	100.0	4,515	100.0	5,320	100.0	5,536	100.0	6,459	100.0
Disposed of without conviction.....	885	21.7	760	16.8	867	16.3	925	16.7	997	15.4
Dismissed.....	652	16.0	528	11.7	620	11.7	668	12.1	682	10.6
Acquitted by court (jury waived).....	75	1.8	97	2.1	82	1.5	93	1.7	83	1.3
Acquitted by jury.....	103	2.5	111	2.5	117	2.2	123	2.2	179	2.8
Other no-penalty disposition.....	55	1.3	24	0.5	48	0.9	41	0.7	53	0.8
Convicted and sentenced.....	3,194	78.3	3,755	83.2	4,453	83.7	4,611	83.3	5,462	84.6
Pleaded guilty.....	2,786	67.1	3,235	71.7	3,959	74.4	4,070	73.5	4,737	73.3
Found guilty by court (jury waived).....	194	4.8	217	4.8	223	4.2	236	4.3	253	3.9
Found guilty by jury.....	264	6.5	303	6.7	271	5.1	305	5.5	472	7.3

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

(Percent not shown where less than 0.1)

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	3,194	100.0	3,755	100.0	4,453	100.0	4,611	100.0	5,462	100.0
Death penalty.....	2	0.1	2	0.1	7	0.2	1	-	18	0.3
Prison or reformatory.....	1,454	45.5	1,721	45.8	2,083	46.8	2,093	45.4	2,506	45.9
Probation or suspended sentence.....	1,443	45.2	1,573	41.9	1,880	42.2	2,001	43.4	2,297	42.1
Local jail or workhouse.....	225	7.0	301	8.0	295	6.6	279	6.2	468	8.6
Fine or costs only.....	69	2.2	158	4.2	188	4.2	137	2.9	173	3.2
Institution for juvenile delinquents only..	1	-	-	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN COMMON PLEAS COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or work-house	Fine or costs only	Institution for juvenile delinquents only
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	5,581	1,407	1,127	93	127	60	4,174	3,611	255	308	4,174	2	1,498	1,811	448	414	1	
Major offenses.....	4,079	885	652	75	103	55	3,194	2,736	194	264	3,194	2	1,454	1,443	225	69	1	
Murder.....	70	29	1	7	15	6	41	16	8	17	41	2	38	1	-	-	-	
Manslaughter.....	179	47	27	10	8	2	132	93	8	31	132	-	59	47	20	6	-	
Robbery.....	454	82	56	11	13	2	372	282	36	54	372	-	266	106	-	-	-	
Aggravated assault.....	258	74	50	4	11	9	184	147	19	18	184	-	80	94	2	8	-	
Burglary.....	969	184	150	9	16	9	785	709	28	48	785	-	385	385	13	2	-	
Larceny, except auto theft..	528	85	70	2	12	1	443	407	19	17	443	-	123	203	98	18	1	
Auto theft.....	483	69	67	3	6	12	395	365	15	15	395	-	162	230	1	2	-	
Embezzlement and fraud.....	214	71	62	4	5	-	143	134	5	4	143	-	37	92	8	6	-	
Stolen property, receiving, etc.....	87	20	14	2	4	-	67	57	5	5	67	-	20	32	13	2	-	
Forgery and counterfeiting..	314	77	73	2	-	2	237	225	6	6	237	-	97	150	3	7	-	
Rape.....	153	49	30	8	9	2	104	78	13	13	104	-	62	25	17	-	-	
Commercialized vice.....	13	3	3	-	-	-	10	3	6	1	10	-	6	1	-	3	-	
Other sex offenses.....	89	19	10	2	-	7	70	52	9	9	70	-	51	9	6	4	-	
Violating drug laws.....	28	2	1	1	-	-	26	20	4	2	26	-	11	9	5	1	-	
Carrying, etc., weapons.....	128	24	17	5	-	2	104	93	9	2	104	-	18	47	33	6	-	
Other major offenses.....	112	31	21	5	4	1	81	55	4	22	81	-	39	32	6	4	-	
Abortion.....	5	2	1	-	1	-	3	3	-	-	3	-	2	1	-	-	-	
Arson.....	36	0	6	-	1	1	28	21	2	5	28	-	17	11	-	-	-	
Bigamy.....	12	2	2	-	-	-	10	10	-	-	10	-	1	9	-	-	-	
Blackmail and extortion....	29	9	2	5	2	-	20	4	2	14	20	-	12	4	4	-	-	
Escape and jail break.....	15	1	1	-	-	-	14	11	-	3	14	-	5	5	2	2	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	15	9	9	-	-	-	6	6	-	-	6	-	2	2	-	2	-	
Minor offenses ²	1,502	522	475	18	24	5	980	875	61	44	980	-	44	368	223	345	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

OREGON

A total of 578 defendants were disposed of for major offenses in the circuit courts of Oregon during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 578 defendants, 503, or 87.0 percent, were convicted and sentenced; and 259, or 51.5 percent, of the defendants convicted and sentenced were sentenced to a prison or reformatory. Of the 433 defendants charged with major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 393, or 90.8 percent, were convicted; and of the 90 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 66, or 73.3 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 112.5 in 1938 to 119.5 in 1939, and then decreased to 85.9 in 1942. The rate for defendants convicted decreased from 99.3 in 1938 to 74.8 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with forgery following in second place, and the offense groups together accounting for 42.9 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 85.4 percent of all defendants disposed of for major offenses were convicted. This percentage was 88.3 in 1938, 83.0 in 1939, 87.5 in 1940, 88.0 in 1941, and 87.0 in 1942. In 1942, 80.8 percent of

all defendants entered a plea of guilty, whereas only 5.2 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 48.2 percent were sentenced to a prison or reformatory. The percentages for 1938 and 1939 fell below this figure, and the percentages for the remaining years were somewhat higher. Of all defendants convicted of major offenses during these 5 years, 35.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 36 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 31 counties, 63.2 percent; 1941, 35 counties, 99.7 percent; 1940, 36 counties, 100.0 percent; 1939, 32 counties, 88.0 percent; 1938, 30 counties, 90.9 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	578	1,048	1,115	1,136	1,089	85.9	97.9	102.3	119.5	112.5
Murder.....	7	15	10	4	12	1.0	1.4	0.9	0.4	1.2
Manslaughter.....	14	35	17	21	17	2.1	3.3	1.6	2.2	1.8
Robbery.....	8	25	30	40	50	1.2	2.3	2.8	4.2	5.2
Aggravated assault.....	38	68	36	52	29	5.6	6.4	3.3	5.5	3.0
Burglary.....	54	146	185	187	171	8.0	13.6	17.0	19.7	17.7
Larceny, except auto theft.....	161	237	263	351	296	23.9	22.1	24.1	37.0	30.6
Auto theft.....	56	75	91	76	84	8.3	7.0	8.4	8.0	8.7
Embezzlement and fraud.....	52	132	153	127	137	7.7	12.8	14.0	13.4	14.1
Stolen property, receiving, etc.....	15	23	34	25	45	2.2	2.1	3.1	2.6	4.6
Forgery and counterfeiting.....	87	143	161	120	119	12.9	13.4	14.8	12.6	12.3
Other major offenses.....	31	48	43	35	51	4.6	4.5	3.9	3.7	5.3
Total.....	55	101	92	98	78	8.2	9.4	8.4	10.3	8.1
DEFENDANTS CONVICTED										
Total.....	503	857	976	943	962	74.8	80.0	89.6	99.2	99.3
Murder.....	6	13	8	2	7	0.9	1.2	0.7	0.2	0.7
Manslaughter.....	13	11	10	12	11	1.9	1.0	0.9	1.3	1.1
Robbery.....	8	23	25	36	44	1.2	2.1	2.3	3.8	4.5
Aggravated assault.....	26	51	29	38	24	3.9	4.8	2.7	4.0	2.5
Burglary.....	49	126	166	166	155	7.3	11.8	15.2	17.5	16.0
Larceny, except auto theft.....	142	201	237	289	279	21.1	18.8	21.7	30.4	28.8
Auto theft.....	53	61	81	73	79	7.9	5.7	7.4	7.7	8.2
Embezzlement and fraud.....	49	105	139	106	115	7.3	9.8	12.8	11.2	11.9
Stolen property, receiving, etc.....	12	20	31	19	39	1.8	1.9	2.8	2.0	4.0
Forgery and counterfeiting.....	80	129	146	93	110	11.9	12.0	13.4	9.8	11.4
Other major offenses.....	21	34	28	29	41	3.1	3.2	2.6	3.1	4.2
Total.....	44	83	76	80	58	6.5	7.8	7.0	8.4	6.0

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population for counties reporting.

Table 2.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	578	100.0	1,048	100.0	1,115	100.0	1,186	100.0	1,089	100.0
Disposed of without conviction.....	75	13.0	131	18.2	139	12.5	198	17.0	127	11.7
Dismissed.....	49	8.5	154	14.7	106	9.5	150	12.6	94	8.6
Acquitted by court (jury waived).....	4	0.7	1	0.1	1	0.1	3	0.3	3	0.3
Acquitted by jury.....	16	2.8	29	2.8	25	2.2	32	2.8	27	2.5
Other no-penalty disposition.....	6	1.0	7	0.7	7	0.6	8	0.7	3	0.3
Convicted and sentenced.....	503	87.0	857	81.8	976	87.5	943	83.0	962	88.3
Pleaded guilty.....	467	80.8	769	73.4	904	81.1	891	78.4	891	81.8
Found guilty by court (jury waived).....	6	1.0	15	1.4	7	0.6	7	0.6	4	0.4
Found guilty by jury.....	30	5.2	73	7.0	65	5.8	45	4.0	67	6.1

Table 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	503	100.0	857	100.0	976	100.0	943	100.0	962	100.0
Death penalty.....	-	-	2	0.2	2	0.2	-	-	1	0.1
Prison or reformatory.....	259	51.5	416	48.5	502	51.4	437	46.3	430	44.7
Probation or suspended sentence.....	187	37.2	305	35.6	326	33.4	342	36.3	355	36.9
Local jail or workhouse.....	40	8.0	102	11.9	132	13.5	145	15.4	157	16.3
Fine or costs only.....	13	2.6	25	2.9	12	1.2	8	0.8	14	1.4
Institution for juvenile delinquents only..	4	0.8	5	0.6	2	0.2	9	1.0	5	0.5
Other sentence.....	-	-	2	0.2	-	-	2	0.2	-	-

Table 4.—DISPOSITION IN CIRCUIT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	764	126	78	9	27	12	638	589	10	39	638	-	277	235	57	65	4	-
Major offenses.....	578	75	49	4	16	6	503	467	6	30	503	-	259	187	40	13	4	-
Murder.....	7	1	-	-	1	-	6	3	-	3	6	-	6	-	-	-	-	-
Manslaughter.....	14	1	-	-	1	-	13	9	1	3	13	-	8	4	1	-	-	-
Robbery.....	8	-	-	-	-	-	8	8	-	-	8	-	4	4	-	-	-	-
Aggravated assault.....	38	12	9	-	1	2	26	22	1	3	26	-	14	4	4	4	-	-
Burglary.....	54	5	5	-	-	-	49	44	2	3	49	-	34	13	-	-	2	-
Larceny, except auto theft..	161	19	10	3	5	1	142	137	-	5	142	-	72	53	9	7	1	-
Auto theft.....	56	3	2	1	-	-	53	53	-	-	53	-	22	25	6	-	-	-
Embezzlement and fraud.....	52	3	2	-	-	1	49	47	-	2	49	-	17	26	5	1	-	-
Stolen property, receiving, etc.....	15	3	2	-	1	-	12	9	-	3	12	-	5	4	3	-	-	-
Forgery and counterfeiting..	87	7	6	-	-	1	80	78	1	1	80	-	40	36	4	-	-	-
Rape.....	31	10	5	-	5	-	21	19	-	2	21	-	14	7	-	-	-	-
Commercialized vice.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Other sex offenses.....	31	7	4	-	2	1	24	22	1	1	24	-	14	4	4	1	1	-
Violating drug laws.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	3	1	1	-	-	-	2	2	-	-	2	-	1	-	1	-	-	-
Other major offenses.....	19	3	3	-	-	-	16	12	-	4	16	-	7	7	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	9	1	1	-	-	-	8	7	-	1	8	-	5	3	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	2	-	-	-	-	-	2	-	-	2	2	-	-	-	2	-	-	-
Kidnaping.....	3	-	-	-	-	-	3	3	-	-	3	-	2	1	-	-	-	-
Perjury.....	5	2	2	-	-	-	3	2	-	1	3	-	-	3	-	-	-	-
Minor offenses ²	186	51	29	5	11	6	135	122	4	9	135	-	18	48	17	52	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

PENNSYLVANIA

A total of 14,309 defendants were disposed of for major offenses in the trial courts of Pennsylvania during the calendar year 1942, according to reports received from the Pennsylvania Department of Welfare by the Bureau of the Census. Of these 14,309 defendants, 9,895, or 69.2 percent, were convicted and sentenced. Among these defendants convicted and sentenced 2,734, or 27.6 percent, were placed on probation or given a suspended sentence; 1,686, or 17.0 percent, were sentenced to a State prison or reformatory; and 4,046, or 40.9 percent, were sentenced to a local jail or workhouse. Of the 2,210 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 6,113, or 74.5 percent, were convicted; and of the 3,036 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 1,599, or 52.7 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 249.1 in 1938 to 147.3 in 1942. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 185.6 in 1938 to 101.8 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups together accounting for 32.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 71.5 percent of all defendants disposed of for major crimes were convicted. This percentage was 74.5 in 1938 and, with the exception of

a slight increase in 1940, declined steadily to 69.2 in 1942. In 1942, 50.8 percent of all defendants entered a plea of guilty, whereas only 11.9 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 28.1 percent were placed on probation or given a suspended sentence. The percentage for 1939, 1940, 1941, and 1942 fell below this figure, but the percentage for 1938, 30.8, was higher. Only 14.7 percent of all defendants convicted of major offenses during the past 5 years were sentenced to a State institution, while 43.9 percent were sentenced to a local jail or workhouse.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offense and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offense during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcomes and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 67 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, all counties, 100.0 percent; 1941, 63 counties, 97.7 percent; 1940, 66 counties, 99.8 percent; 1939, all counties, 100.0 percent; 1938, 66 counties, 99.6 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁵
DEFENDANTS DISPOSED OF										
Total.....	14,309	14,411	17,278	19,937	24,548	147.3	150.7	174.9	202.6	249.1
Murder.....	159	106	169	180	197	1.6	1.1	1.7	1.8	2.0
Manslaughter.....	382	379	391	375	403	3.9	4.0	4.0	3.8	4.1
Robbery.....	826	861	1,076	958	2,660	8.5	9.0	10.9	9.7	27.0
Aggravated assault.....	2,015	1,988	2,093	2,635	2,651	20.7	20.8	21.2	26.8	26.9
Burglary.....	2,226	2,349	2,973	3,058	3,105	22.9	24.6	30.1	31.1	31.5
Larceny, except auto theft.....	2,403	2,474	3,449	4,747	6,025	24.7	25.9	34.9	48.2	61.1
Auto theft.....	656	572	610	874	1,015	6.8	6.0	6.2	8.9	10.3
Embezzlement and fraud.....	1,080	1,273	1,470	1,878	1,995	11.1	13.3	14.9	19.1	20.2
Stolen property, receiving, etc.....	633	433	540	520	379	6.5	4.5	5.5	5.3	3.8
Forgery and counterfeiting.....	386	394	522	615	776	4.0	4.1	5.3	6.2	7.9
Rape.....	480	509	544	578	804	4.9	5.3	5.5	5.9	8.2
Other major offenses.....	3,063	3,073	3,441	3,519	4,538	31.5	32.1	34.8	35.8	46.0
DEFENDANTS CONVICTED										
Total.....	9,895	10,064	12,328	14,158	18,293	101.8	105.2	124.8	143.9	185.6
Murder.....	108	64	106	111	105	1.1	0.7	1.1	1.1	1.1
Manslaughter.....	136	121	156	136	175	1.4	1.3	1.6	1.4	1.8
Robbery.....	607	664	805	771	2,274	6.2	6.9	8.1	7.8	23.1
Aggravated assault.....	1,058	993	1,141	1,286	1,407	10.9	10.4	11.5	13.1	14.3
Burglary.....	1,877	2,026	2,551	2,636	2,746	19.3	21.2	25.8	26.8	27.9
Larceny, except auto theft.....	1,763	1,855	2,660	3,683	4,813	18.1	19.4	25.9	37.4	48.8
Auto theft.....	549	487	489	733	776	5.7	5.1	4.9	7.4	7.9
Embezzlement and fraud.....	623	769	899	1,199	1,299	6.4	8.0	9.1	12.2	13.2
Stolen property, receiving, etc.....	409	246	313	296	247	4.2	2.6	3.2	3.0	2.5
Forgery and counterfeiting.....	285	343	412	459	662	2.9	3.6	4.2	4.7	6.7
Rape.....	297	294	312	369	490	3.1	3.1	3.2	3.7	5.0
Other major offenses.....	2,183	2,202	2,484	2,479	3,299	22.5	23.0	25.1	25.2	33.5

¹ Based on estimate of civilian population of the State.

² Based on estimate of civilian population for counties reporting. Rate for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940 for counties reporting.

⁴ Based on estimate of total population of the State.

⁵ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--PENNSYLVANIA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	14,309	100.0	14,411	100.0	17,278	100.0	19,937	100.0	24,548	100.0
Disposed of without conviction.....	4,414	30.8	4,347	30.2	4,950	28.6	5,779	29.0	6,255	25.5
Dismissed.....	1,681	11.7	1,550	10.8	1,778	10.3	2,299	11.5	2,259	9.2
Acquitted by court (jury waived).....	446	3.1	410	2.8	687	4.0	770	3.9	409	1.7
Acquitted by jury.....	1,619	11.3	1,812	12.6	1,885	10.6	2,151	10.8	3,348	13.6
Other no-penalty disposition.....	668	4.7	575	4.0	650	3.8	559	2.8	239	1.0
Convicted and sentenced.....	9,895	69.2	10,064	69.8	12,328	71.4	14,158	71.0	18,293	74.5
Pleading guilty.....	7,275	50.8	7,468	52.5	9,468	54.8	10,946	54.9	11,252	45.8
Found guilty by court (jury waived).....	913	6.4	649	4.5	1,131	6.5	1,084	5.4	514	2.1
Found guilty by jury.....	1,707	11.9	1,855	12.9	1,734	10.0	2,128	10.7	6,527	26.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[Percent not shown where less than 0.1]

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	9,895	100.0	10,064	100.0	12,328	100.0	14,158	100.0	18,293	100.0
Death penalty.....	5	0.1	3	-	7	0.1	9	0.1	8	-
Prison or reformatory.....	1,686	17.0	1,809	18.0	1,612	13.1	1,904	13.4	2,474	13.5
Probation or suspended sentence.....	2,734	27.6	2,620	26.0	3,411	27.7	3,764	26.6	5,631	30.8
Local jail or workhouse.....	4,046	40.9	4,262	42.3	5,442	44.1	6,474	45.7	8,170	44.7
Fine or costs only.....	1,052	10.6	1,015	10.1	1,484	12.0	1,573	11.1	1,664	9.1
Institution for juvenile delinquents only.	238	2.4	173	1.7	237	1.9	276	1.9	226	1.2
Other sentence.....	134	1.4	182	1.8	135	1.1	158	1.1	120	0.7

Table 4. DISPOSITION IN TRIAL COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	Total defendants disposed of	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS								SENTENCE FOR THOSE CONVICTED								
		Disposed of without conviction					Convicted and sentenced			Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹									By jury
All offenses.....	31,070	9,374	4,277	1,029	2,752	1,316	21,696	14,694	4,368	2,634	21,696	5	1,780	5,846	6,483	5,246	473	1,863
Major offenses.....	14,309	4,414	1,681	446	1,619	668	9,895	7,275	913	1,707	9,895	5	1,686	2,734	4,046	1,052	238	134
Murder.....	159	51	8	-	38	5	108	56	21	31	108	-	81	1	18	-	1	2
Manslaughter.....	382	246	69	15	103	59	136	80	14	42	136	-	29	24	71	11	1	-
Robbery.....	826	219	35	11	134	39	607	371	17	219	607	-	246	46	295	7	7	6
Aggravated assault.....	2,015	957	406	100	389	62	1,058	527	179	352	1,058	-	102	301	574	81	-	-
Burglary.....	2,226	349	118	11	142	78	1,877	1,527	144	206	1,877	-	455	477	763	60	117	5
Larceny, except auto theft.	2,403	640	282	104	177	77	1,763	1,484	150	129	1,763	-	191	652	685	160	71	5
Auto theft.....	656	107	36	16	43	12	549	450	31	68	549	-	118	141	249	9	27	5
Embezzlement and fraud.....	1,080	457	224	47	115	71	623	510	55	58	623	-	32	276	224	86	3	2
Stolen property, receiving, etc.....	633	224	67	37	94	26	409	279	29	101	409	-	46	163	172	26	-	2
Forgery and counterfeiting.	386	101	53	3	14	31	285	268	7	10	285	-	42	70	142	27	1	3
Rape.....	480	183	52	8	102	21	297	169	14	114	297	-	89	26	149	28	1	4
Commercialized vice.....	430	115	20	12	31	52	315	216	33	66	315	-	51	55	131	78	-	-
Other sex offenses.....	1,755	502	216	42	150	94	1,253	924	88	241	1,253	-	104	282	358	403	6	100
Violating drug laws.....	119	32	13	2	4	13	87	46	38	3	87	-	20	46	19	2	-	-
Carrying, etc., weapons....	561	177	59	35	62	21	384	274	53	57	384	-	30	153	153	47	-	1
Other major offenses.....	198	54	23	3	21	7	144	94	40	10	144	-	50	21	43	27	3	-
Abortion.....	27	10	3	-	5	2	17	15	1	1	17	-	3	4	10	-	-	-
Arson.....	43	11	1	1	7	2	32	23	3	6	32	-	19	5	8	-	-	-
Signs.....	9	2	1	-	1	-	7	6	1	-	7	-	1	1	5	-	-	-
Blackmail and extortion....	8	4	3	-	-	1	4	3	1	-	4	-	1	2	1	-	-	-
Escape and jail break.....	49	6	1	1	2	2	43	41	2	-	43	-	25	1	13	1	3	-
Kidnaping.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	60	19	12	1	6	-	41	6	32	3	41	-	1	8	6	26	-	-
Minor offenses ²	16,761	4,960	2,596	583	1,133	648	11,801	7,419	3,455	927	11,801	-	94	3,112	2,437	4,194	235	1,729

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

RHODE ISLAND

A total of 468 defendants were disposed of for major offenses in the superior courts of Rhode Island during calendar year 1942, according to reports received from the Department of Social Welfare at Providence by the Bureau of the Census. Of these 468 defendants, 456, 97.4 percent, were convicted and sentenced; and 348, 76.3 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence. Of the 376 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 371, or 98.7 percent, were convicted; and of the 59 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 52, or 88.1 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 93.8 in 1938 to 64.9 in 1942. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 90.0 in 1938 to 63.3 in 1942. The defendants were disposed of for burglary than for any other offense during 1942, with auto theft following in second place, and the two offense groups together accounting for 64.5 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 96.6 percent of all defendants disposed of for major crimes were convicted. In 1938, 96.0 percent of the defendants were convicted; in

1939, 98.9 percent; in 1940, 95.2 percent; in 1941, 95.7 percent; and in 1942, 97.4 percent. In 1942, 95.9 percent of all defendants entered a plea of nolo contendere, whereas only 1.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 70.6 percent were placed on probation or given a suspended sentence. The percentages for 1938 and 1939 fell below this figure, and the percentages for the remaining years were somewhat higher. Only 22.7 percent of all defendants convicted of major offenses during the past 5 years were sentenced to a State institution.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	468	514	600	632	651	64.9	71.8	84.1	90.1	93.8
Murder.....	4	-	2	1	2	0.6	-	0.3	0.1	0.3
Manslaughter.....	6	2	3	5	3	0.8	0.3	0.4	0.7	0.4
Burglary.....	13	28	20	29	43	1.8	3.9	2.8	4.1	6.2
Aggravated assault.....	25	29	33	4	11	3.5	4.0	4.6	0.6	1.6
Larceny.....	202	224	258	310	304	28.0	31.3	36.2	44.2	43.8
Auto theft, except auto theft.....	26	14	21	18	15	3.6	2.0	2.9	2.6	2.2
Auto theft.....	100	122	109	95	85	13.9	17.0	15.3	13.5	12.2
Embezzlement and fraud.....	6	17	62	28	17	0.8	2.4	8.7	4.0	2.4
Stolen property, receiving, etc.....	3	3	1	3	1	0.4	0.4	0.1	0.4	0.1
Forgery and counterfeiting.....	26	24	12	17	25	3.6	3.4	1.7	2.4	3.6
Other major offenses.....	24	8	26	26	35	3.3	1.1	3.6	3.7	5.0
Total.....	33	43	53	96	110	4.6	6.0	7.4	13.7	15.8
DEFENDANTS CONVICTED										
Total.....	456	492	571	625	625	63.3	68.7	80.0	89.1	90.0
Murder.....	4	-	1	1	2	0.6	-	0.1	0.1	0.3
Manslaughter.....	3	1	3	5	3	0.4	0.1	0.4	0.7	0.4
Burglary.....	13	25	20	28	41	1.8	3.5	2.8	4.0	5.9
Aggravated assault.....	24	28	32	4	11	3.3	3.9	4.5	0.6	1.6
Larceny.....	200	221	254	308	302	27.7	30.9	35.6	43.9	43.5
Auto theft, except auto theft.....	24	13	20	18	15	3.3	1.8	2.8	2.6	2.2
Auto theft.....	100	119	103	95	85	13.9	16.6	14.4	13.5	12.2
Embezzlement and fraud.....	5	16	50	28	15	0.7	2.2	7.0	4.0	2.2
Stolen property, receiving, etc.....	3	3	1	3	1	0.4	0.4	0.1	0.4	0.1
Forgery and counterfeiting.....	26	23	12	17	25	3.6	3.2	1.7	2.4	3.6
Other major offenses.....	21	7	26	25	35	2.9	1.0	3.6	3.6	5.0
Total.....	33	36	49	93	90	4.6	5.0	6.9	13.3	13.0

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--RHODE ISLAND

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	468	100.0	514	100.0	600	100.0	632	100.0	651	100.0
Dismissed or nolle prosequi.....	12	2.6	22	4.3	29	4.8	7	1.1	26	4.0
Acquitted by court (jury waived).....	6	1.3	17	3.3	17	2.8	7	1.1	26	4.0
Acquitted by jury.....	-	-	1	0.2	-	-	-	-	-	-
Other no-penalty disposition.....	6	1.3	4	0.8	11	1.8	-	-	-	-
Convicted and sentenced.....	-	-	-	-	1	0.2	-	-	-	-
Nolo contendere ¹	456	97.4	492	95.7	571	95.2	625	98.9	625	96.0
Found guilty by court (jury waived).....	449	95.9	486	94.6	565	94.2	625	98.9	625	96.0
Found guilty by jury.....	-	-	-	-	-	-	-	-	-	-
Found guilty by jury.....	7	1.5	6	1.2	6	1.0	-	-	-	-

¹ Includes pleas of guilty.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	456	100.0	492	100.0	571	100.0	625	100.0	625	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	85	18.6	71	14.4	116	20.3	194	31.0	162	25.9
Probation or suspended sentence.....	348	76.3	401	81.5	423	74.1	377	60.3	405	64.8
Local jail or workhouse.....	19	4.2	17	3.5	27	4.7	46	7.4	57	9.1
Fine or costs only.....	4	0.9	3	0.6	5	0.9	8	1.3	1	0.2
Institution for juvenile delinquents only.....	-	-	-	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN SUPERIOR COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentences	Local jail or workhouse	Fine or costs only	Institution for juveniles delinquents only
		Total	Dismissed or nolle prosequi	Acquitted--		Other no-penalty	Total	Nolo contendere ²	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	492	17	11	-	6	-	475	468	-	7	475	-	90	357	21	7	-
Major offenses.....	468	12	6	-	6	-	456	449	-	7	456	-	85	348	19	4	-
Murder.....	4	-	-	-	-	-	4	3	-	1	4	-	4	-	-	-	-
Manslaughter.....	6	3	-	-	3	-	3	3	-	-	3	-	-	2	1	-	-
Robbery.....	13	-	-	-	-	-	13	13	-	-	13	-	5	8	-	-	-
Aggravated assault.....	25	1	1	-	-	-	24	23	-	1	24	-	10	14	-	-	-
Burglary.....	202	2	1	-	1	-	200	200	-	-	200	-	34	163	2	1	-
Larceny, except auto theft.	26	2	2	-	-	-	24	23	-	1	24	-	1	19	2	2	-
Auto theft.....	100	-	-	-	-	-	100	100	-	-	100	-	8	91	1	-	-
Embezzlement and fraud.....	6	1	1	-	-	-	5	4	-	1	5	-	2	3	-	-	-
Stolen property, receiving, etc.....	3	-	-	-	-	-	3	3	-	-	3	-	-	3	-	-	-
Forgery and counterfeiting.....	26	-	-	-	-	-	26	26	-	-	26	-	-	17	9	-	-
Rape.....	24	3	1	-	2	-	21	20	-	1	21	-	11	9	1	-	-
Commercialized vice.....	2	-	-	-	-	-	2	2	-	-	2	-	-	2	-	-	-
Other sex offenses.....	9	-	-	-	-	-	9	9	-	-	9	-	3	4	1	1	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	-	-	-	-	5	5	-	-	5	-	-	5	-	-	-
Other major offenses.....	17	-	-	-	-	-	17	15	-	2	17	-	7	8	2	-	-
Abortion.....	4	-	-	-	-	-	4	2	-	2	4	-	1	1	2	-	-
Arson.....	2	-	-	-	-	-	2	2	-	-	2	-	1	1	-	-	-
Bigamy.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-
Escape and jail break.....	9	-	-	-	-	-	9	9	-	-	9	-	5	4	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ³	24	5	5	-	-	-	19	19	-	-	19	-	5	9	2	3	-

¹ Jury waived.² Includes pleas of guilty.³ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors and usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

SOUTH DAKOTA

A total of 287 defendants were disposed of for major offenses in the circuit courts of South Dakota during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 287 defendants, 236, or 82.2 percent, were convicted and sentenced; and 151, or 64.0 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 233 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 198, or 85.0 percent, were convicted; and of the 31 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 20 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 78.7 in 1938 to 49.9 in 1942. Likewise, the rate for defendants convicted showed a continuous decline from 68.4 in 1938 to 41.0 in 1942. Among the defendants disposed of for major offenses during 1942, there were more defendants disposed of for larceny than for any other offense, with burglary following in second place, and the two offense groups together accounting for 47.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 86.7 percent of all defendants disposed of for major offenses were convicted. In

1938, 87.0 percent of the defendants were convicted; in 1939, 88.7 percent; in 1940 and 1941, 87.0 percent; and in 1942, 82.2 percent. In 1942, 75.3 percent of all defendants entered a plea of guilty, whereas only 5.2 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 58.6 percent were sentenced to a State prison or reformatory. The percentages for 1938 and 1939 fell below this figure, and the percentages for the remaining years were somewhat higher.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 69 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 68 counties, 97.9 percent; 1941 and 1940, all counties, 100.0 percent; 1939, 65 counties, 94.4 percent; 1938, 52 counties, 76.8 percent.]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	287	384	478	468	392	49.9	63.0	74.3	76.9	78.7
Murder.....	-	2	4	3	-	-	0.3	0.6	0.5	-
Manslaughter.....	6	2	7	6	4	1.0	0.3	1.1	1.0	0.8
Robbery.....	11	15	9	11	5	1.9	2.5	1.4	1.8	1.0
Aggravated assault.....	7	11	15	11	12	1.2	1.8	2.3	1.8	2.4
Burglary.....	35	47	78	81	74	6.1	7.7	12.1	13.3	14.9
Larceny, except auto theft.....	102	134	151	156	151	17.7	22.0	23.5	25.6	30.3
Auto theft.....	18	19	23	17	9	3.1	3.1	3.6	2.8	1.8
Embezzlement and fraud.....	27	35	48	37	21	4.7	5.7	7.5	6.1	4.2
Stolen property, receiving, etc.....	8	6	5	11	8	1.4	1.0	0.8	1.8	1.6
Forgery and counterfeiting.....	32	63	81	69	50	5.6	10.3	12.6	11.3	10.0
Rape.....	18	23	22	26	21	3.1	3.8	3.4	4.3	4.2
Other major offenses.....	23	27	35	40	37	4.0	4.4	5.4	6.6	7.4
DEFENDANTS CONVICTED										
Total.....	236	334	416	415	341	41.0	54.8	64.7	68.2	68.4
Murder.....	-	2	2	3	-	-	0.3	0.3	0.5	-
Manslaughter.....	3	2	3	4	2	0.5	0.3	0.5	0.7	0.4
Robbery.....	10	14	7	11	3	1.7	2.3	1.1	1.8	0.6
Aggravated assault.....	5	10	10	6	10	0.9	1.6	1.6	1.0	2.0
Burglary.....	31	40	74	71	65	5.4	6.6	11.5	11.7	13.0
Larceny, except auto theft.....	87	121	139	147	132	15.1	19.9	21.6	24.2	26.5
Auto theft.....	14	16	20	17	9	2.4	2.6	3.1	2.8	1.8
Embezzlement and fraud.....	20	23	37	32	18	3.5	3.8	5.8	5.3	3.6
Stolen property, receiving, etc.....	8	5	3	11	8	1.4	0.8	0.5	1.8	1.6
Forgery and counterfeiting.....	28	60	78	64	48	4.9	9.8	12.1	10.5	9.6
Rape.....	12	19	15	19	18	2.1	3.1	2.3	3.1	3.6
Other major offenses.....	18	22	28	30	28	3.1	3.6	4.4	4.9	5.6

¹ Based on estimate of civilian population for counties reporting.

² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--SOUTH DAKOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	287	100.0	384	100.0	478	100.0	468	100.0	392	100.0
Disposed of without conviction.....	51	17.8	50	13.0	62	13.0	53	11.3	51	13.0
Dismissed.....	38	13.2	37	9.6	44	9.2	38	8.1	35	8.9
Acquitted by court (jury waived).....	1	0.3	-	-	1	0.2	-	-	2	0.5
Acquitted by jury.....	12	4.2	10	2.6	11	2.3	13	2.8	13	3.3
Other no-penalty disposition.....	-	-	3	0.8	6	1.3	2	0.4	1	0.3
Convicted and sentenced.....	236	82.2	334	87.0	416	87.0	415	88.7	341	87.0
Fleeced guilty.....	216	75.3	311	81.0	387	81.0	374	79.9	305	77.8
Found guilty by court (jury waived).....	5	1.7	10	2.6	17	3.6	22	4.7	26	6.6
Found guilty by jury.....	15	5.2	13	3.4	12	2.5	19	4.1	10	2.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	236	100.0	334	100.0	416	100.0	415	100.0	341	100.0
Death penalty.....	-	-	2	0.6	-	-	-	-	-	-
Prison or reformatory.....	151	64.0	202	60.5	246	59.1	231	55.7	191	56.0
Probation or suspended sentence.....	44	18.6	68	20.4	95	22.8	87	21.0	68	19.9
Local jail or workhouse.....	37	15.7	53	15.9	60	14.4	79	19.0	69	20.2
Fine or costs only.....	-	-	7	2.1	11	2.6	7	1.7	7	2.0
Institution for juvenile delinquents only.	-	-	2	0.6	4	1.0	11	2.7	6	1.8
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN CIRCUIT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	468	62	46	1	15	-	406	376	10	20	406	-	164	107	82	53	-	-
Major offenses.....	287	51	38	1	12	-	236	216	5	15	236	-	151	44	37	4	-	-
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter.....	6	3	2	-	1	-	3	3	-	-	3	-	2	1	-	-	-	-
Robbery.....	11	1	-	-	1	-	10	8	2	10	-	8	1	1	-	-	-	-
Aggravated assault.....	7	2	1	-	1	-	5	4	1	5	-	4	1	-	-	-	-	-
Burglary.....	35	4	4	-	-	-	31	31	-	-	31	-	20	6	4	1	-	-
Larceny, except auto theft.	102	15	13	-	2	-	87	77	5	5	87	-	55	17	14	1	-	-
Auto theft.....	18	4	4	-	-	-	14	13	1	14	-	6	3	5	-	-	-	-
Embezzlement and fraud.....	27	7	3	-	4	-	20	18	-	2	20	-	13	4	2	1	-	-
Stolen property, receiving, etc.....	8	-	-	-	-	-	8	8	-	-	8	-	3	3	2	-	-	-
Forgery and counterfeiting.	32	4	3	1	-	-	28	27	-	1	28	-	16	6	5	1	-	-
Rape.....	18	6	4	-	2	-	12	10	-	2	12	-	11	-	1	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	11	2	2	-	-	-	9	9	-	-	9	-	7	1	1	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	4	-	-	-	-	-	4	3	-	1	4	-	2	1	1	-	-	-
Other major offenses.....	8	3	2	-	1	-	5	5	-	-	5	-	4	-	1	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Riots.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drugs and bail break.....	4	-	-	-	-	-	4	4	-	-	4	-	3	-	1	-	-	-
Vandalism.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	2	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ²	181	11	8	-	3	-	170	160	5	5	170	-	13	63	45	49	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

UTAH

A total of 362 defendants were disposed of for major offenses in the district courts of Utah during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 252 defendants, 254, or 70.2 percent, were convicted and sentenced; and 133, or 52.4 percent, of the defendants were convicted and sentenced were sent to a State prison or reformatory. Of the 270 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 192, or 71.1 percent, were convicted; and of the 53 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 37, or 69.8 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population increased from 71.8 in 1938 to 76.5 in 1939, and then decreased steadily to 65.4 in 1942. The rate for defendants convicted of major offenses followed the same general trend, increasing from 52.7 in 1938 to 63.7 in 1939, and declining to 45.9 in 1942. More defendants were disposed of for burglary and for any other offense during 1942, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 42.5 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 77.7 percent of all defendants disposed of for major crimes were convicted. In 1938, 73.4 percent of the defendants were convicted; in

1939, 83.4 percent; in 1940, 81.2 percent; in 1941, 79.5 percent; and in 1942, 70.2 percent. In 1942, 47.2 percent of all defendants entered a plea of guilty, and 21.0 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 48.8 percent were sentenced to a State prison or reformatory. The percentages for 1939, 1940, and 1941 fell below this figure, and the percentages for 1938 and 1942 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 40.2 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 29 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, all counties, 100.0 percent; 1941, 27 counties, 96.2 percent; 1940, 28 counties, 97.1 percent; 1939 and 1938, all counties, 100.0 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ²	1940 ³	1939 ⁴	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	362	352	394	415	383	65.4	66.3	73.7	76.5	71.8
Murder.....	6	5	7	8	6	1.1	0.9	1.3	1.5	1.1
Manslaughter.....	12	11	13	7	18	2.2	2.1	2.4	1.3	3.4
Robbery.....	29	28	28	24	25	5.2	5.3	5.2	4.4	4.7
Aggravated assault.....	22	13	11	16	12	4.0	2.4	2.1	2.9	2.2
Burglary.....	88	104	134	153	120	15.9	19.6	25.1	28.2	22.5
Larceny, except auto theft.....	56	46	62	60	49	10.1	8.7	11.6	11.1	9.2
Auto theft.....	1	4	7	23	11	0.2	0.8	1.3	4.2	2.1
Embezzlement and fraud.....	26	21	19	8	21	4.7	4.0	3.6	1.5	3.9
Stolen property, receiving, etc.....	4	8	9	4	2	0.7	1.5	1.7	0.7	0.4
Forgery and counterfeiting.....	66	68	52	47	57	11.9	12.8	9.7	8.7	10.7
Pe.....	13	19	13	23	16	2.3	3.6	2.4	4.2	3.0
Other major offenses.....	39	25	39	42	46	7.0	4.7	7.3	7.7	8.6
DEFENDANTS CONVICTED										
Total.....	254	280	320	346	281	45.9	52.7	59.9	63.7	52.7
Murder.....	6	2	4	6	3	1.1	0.4	0.7	1.1	0.6
Manslaughter.....	5	9	9	5	7	0.9	1.7	1.7	0.9	1.3
Robbery.....	21	22	19	19	16	3.8	4.1	3.6	3.5	3.0
Aggravated assault.....	15	9	5	11	9	2.7	1.7	0.9	2.0	1.7
Burglary.....	64	84	114	135	104	11.6	15.8	21.3	24.9	19.5
Larceny, except auto theft.....	34	37	58	49	33	6.1	7.0	10.9	9.0	6.2
Auto theft.....	1	3	6	23	6	0.2	0.6	1.1	4.2	1.1
Embezzlement and fraud.....	22	11	17	6	12	4.0	2.1	3.2	1.1	2.2
Stolen property, receiving, etc.....	3	4	6	3	1	0.5	0.8	1.1	0.6	0.2
Forgery and counterfeiting.....	47	63	49	42	47	8.5	11.9	9.2	7.7	8.8
Pe.....	11	16	8	21	10	2.0	3.0	1.5	3.9	1.9
Other major offenses.....	25	20	25	26	33	4.5	3.8	4.7	4.8	6.2

¹ Based on estimate of civilian population of the State.

² Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940 for counties reporting.

⁴ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--UTAH

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	362	100.0	352	100.0	394	100.0	415	100.0	383	100.0
Disposed of without conviction.....	108	29.8	72	20.5	74	18.8	69	16.6	102	26.6
Dismissed.....	69	19.1	27	7.7	37	9.4	36	8.7	41	10.7
Acquitted by court (jury waived).....	1	0.3	6	1.7	4	1.0	7	1.7	14	3.7
Acquitted by jury.....	27	7.5	31	8.8	33	8.4	23	5.5	45	11.8
Other no-penalty disposition.....	11	3.0	8	2.3	-	-	3	0.7	2	0.5
Convicted and sentenced.....	254	70.2	280	79.5	320	81.2	346	83.4	281	73.4
Pleaded guilty.....	171	47.2	189	53.7	251	63.7	257	61.9	208	54.3
Found guilty by court (jury waived).....	7	1.9	8	2.3	7	1.8	12	2.9	13	3.4
Found guilty by jury.....	76	21.0	83	23.6	62	15.7	77	18.6	60	15.7

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	254	100.0	280	100.0	320	100.0	346	100.0	281	100.0
Death penalty.....	1	0.4	2	0.7	2	0.6	-	-	1	0.3
Prison or reformatory.....	133	52.4	131	46.8	151	47.2	156	45.1	151	53.7
Probation or suspended sentence.....	85	33.5	126	45.0	122	38.1	159	46.0	104	37.0
Local jail or workhouse.....	18	7.1	18	6.4	33	10.3	23	6.6	21	7.5
Fine or costs only.....	15	5.9	2	0.7	9	2.8	6	1.7	1	0.3
Institution for juvenile delinquents only.	1	0.4	1	0.4	-	-	2	0.6	3	1.1
Other sentence.....	1	0.4	-	-	3	0.9	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	581	195	112	3	40	40	386	267	17	102	386	1	142	118	54	69	1	
Major offenses.....	362	108	69	1	27	11	254	171	7	76	254	1	133	85	18	15	1	
Murder.....	6	-	-	-	-	-	6	1	-	5	6	1	5	-	-	-	-	
Maneslaughter.....	12	7	2	-	5	-	5	3	-	2	5	-	1	1	3	-	-	
Robbery.....	29	8	2	-	2	4	21	12	-	9	21	-	13	7	-	-	1	
Aggravated assault.....	22	7	4	-	3	-	15	3	1	11	15	-	9	1	2	3	-	
Burglary.....	88	24	15	-	9	-	64	44	3	17	64	-	30	30	1	3	-	
Larceny, except auto theft.	56	22	15	-	5	2	34	26	-	8	34	-	16	11	5	2	-	
Auto theft.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	
Embezzlement and fraud.....	26	4	4	-	-	-	22	15	-	7	22	-	12	7	-	2	-	
Stolen property, receiving, etc.....	4	1	1	-	-	-	3	2	-	1	3	-	1	-	1	1	-	
Forgery and counterfeiting.....	66	19	15	-	2	2	47	40	2	5	47	-	23	20	3	1	-	
Rape.....	13	2	2	-	-	-	11	5	1	5	11	-	9	1	1	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	20	6	5	-	1	-	14	11	-	3	14	-	8	4	2	-	-	
Violating drug laws.....	4	-	-	-	-	-	4	2	-	2	4	-	1	-	-	3	-	
Carrying, etc., weapons.....	6	4	2	1	-	1	2	1	-	1	2	-	1	1	-	-	-	
Other major offenses.....	9	4	2	-	-	2	5	5	-	-	5	-	3	2	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	4	2	1	-	-	1	2	2	-	-	2	-	1	1	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	3	1	1	-	-	-	2	2	-	-	2	-	1	1	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	2	1	-	-	-	1	1	1	-	-	1	-	1	-	-	-	-	
Minor offenses ²	219	87	43	2	13	29	132	96	10	26	132	-	9	33	36	54	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

January 15, 1944

JUDICIAL CRIMINAL STATISTICS: 1942

VERMONT

A total of 410 defendants were disposed of for major offenses in the reporting trial courts of Vermont during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 410 defendants, 255, or 62.2 percent, were convicted and sentenced; 98, or 38.4 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory; and 77, or 30.2 percent, were placed on probation or given a suspended sentence. Of the 308 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 189, or 61.4 percent, were convicted; and of the 26 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 16, or 61.5 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 136.7 in 1938 to 150.1 in 1942. The rate for defendants convicted followed the same general trend, decreasing from 184.4 in 1938 to 97.1 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups accounting for 59.0 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 73.9 percent of all defendants disposed of for major crimes were convicted. With the exception of a slight increase in 1940, the percentage convicted decreased from 77.9 in 1938 to 62.2 in 1942. In 1942, 51.5 percent of all defendants entered a plea of guilty, whereas only 3.4 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 38.0 percent were sentenced to a State prison or reformatory. The percentages for 1941, 1940, and 1938 fell below this amount, while those for 1942 and 1939 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 27.8 percent were placed on probation or given a suspended sentence.

Under Vermont law municipal courts exercise felony jurisdiction concurrently with the county court in 11 of the 14 counties of the State. In 1942, reports on criminal disposition were received from the county courts in 13 counties containing 98.9 percent of the 1940 population of the State and from all municipal courts in 7 counties and one of the two municipal courts in each of two counties. The jurisdiction of these municipal courts represents 75.9 percent of the 1940 population

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

[See text for coverage]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ²	1938 ²
DEFENDANTS DISPOSED OF										
Total.....	410	533	418	425	434	156.1	188.3	205.6	221.7	236.7
Murder.....	1	-	3	2	4	0.4	-	1.5	1.0	2.2
Manslaughter.....	2	9	1	-	1	0.8	3.2	0.5	-	0.5
Robbery.....	7	6	3	3	2	2.7	2.1	1.5	1.6	1.1
Aggravated assault.....	7	3	2	14	5	2.7	1.1	1.0	7.3	2.7
Burglary.....	33	84	82	74	40	12.6	29.7	40.3	38.6	21.8
Larceny, except auto theft.....	209	219	151	162	196	79.6	77.4	74.3	84.5	106.9
Auto theft.....	16	18	14	14	15	6.1	6.4	6.9	7.3	8.2
Embezzlement and fraud.....	20	37	31	30	19	7.6	13.1	15.2	15.7	10.4
Stolen property, receiving, etc.....	11	2	12	3	4	4.2	0.7	5.9	1.6	2.2
Forgery and counterfeiting.....	12	23	13	23	10	4.6	8.1	6.4	12.0	5.5
Rape.....	16	22	22	19	23	6.1	7.8	10.8	9.9	12.5
Other major offenses.....	76	110	84	81	115	28.9	38.9	41.3	42.3	62.7
DEFENDANTS CONVICTED										
Total.....	255	395	325	328	338	97.1	139.6	159.8	171.1	184.4
Murder.....	-	-	2	1	1	-	-	1.0	0.5	0.5
Manslaughter.....	1	5	-	-	1	0.4	1.8	-	-	0.5
Robbery.....	2	5	2	3	-	0.8	1.8	1.0	1.6	-
Aggravated assault.....	4	-	1	14	5	1.5	-	0.5	7.3	2.7
Burglary.....	19	68	66	67	35	7.2	24.0	32.5	35.0	19.1
Larceny, except auto theft.....	125	166	120	119	150	47.6	58.7	59.0	62.1	81.8
Auto theft.....	10	11	14	14	13	3.8	3.9	6.9	7.3	7.1
Embezzlement and fraud.....	14	25	21	24	16	5.3	8.8	10.3	12.5	8.7
Stolen property, receiving, etc.....	8	1	7	2	2	3.0	0.4	3.4	1.0	1.1
Forgery and counterfeiting.....	11	22	11	16	7	4.2	7.8	5.4	8.3	3.8
Rape.....	11	9	13	11	18	4.2	3.2	6.4	5.7	9.8
Other major offenses.....	50	83	68	57	90	19.0	29.3	33.4	29.7	49.1

¹ Based on estimate of civilian population covered by the reports.

² Based on estimate of total population covered by the reports.

(over)

of all counties in which municipal courts have jurisdiction. It is estimated that the reporting courts account for 76.3 percent of all of the judicial criminal proceedings in the State.

Reports were received from county courts in 12 counties in 1941, 11 counties in 1940, 12 counties in 1939, and 11 counties in 1938. Of the 11 counties with municipal courts having felony jurisdiction, all municipal courts reported in 9 counties in 1941, 6 counties in 1940, 4 counties in 1939, and 4 counties in 1938. One of the two municipal courts reported in 1 county in 1941, 1 county in 1940, in each of 3 counties in 1939, and in each of 2 counties in 1938. It is estimated that reporting courts accounted for 81.0 percent of all of the judicial criminal proceedings in the State in 1941, 56.6 in 1940, 53.6 in 1939, and 51.5 in 1938.

The statistics presented in this report are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and the number convicted, during the calendar year 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	410	100.0	533	100.0	418	100.0	425	100.0	434	100.0
Disposed of without conviction.....	155	37.8	138	25.9	93	22.2	97	22.8	96	22.1
Dismissed.....	139	33.9	79	14.8	71	17.0	79	18.6	86	19.8
Acquitted by court (jury waived).....	-	-	-	-	1	0.2	1	0.2	1	0.2
Acquitted by jury.....	6	1.5	5	0.9	10	2.4	11	2.6	2	0.5
Other no-penalty disposition.....	10	2.4	54	10.1	11	2.6	6	1.4	7	1.6
Convicted and sentenced.....	255	62.2	395	74.1	325	77.8	328	77.2	338	77.9
Fleeced guilty.....	211	51.5	380	71.3	314	75.1	311	73.2	317	73.0
Found guilty by court (jury waived).....	30	7.3	4	0.8	2	0.5	1	0.2	1	0.2
Found guilty by jury.....	14	3.4	11	2.1	9	2.2	16	3.8	20	4.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	255	100.0	395	100.0	325	100.0	328	100.0	338	100.0
Death penalty.....	-	-	-	-	1	0.3	-	-	-	-
Prison or reformatory.....	98	38.4	147	37.2	136	41.9	134	40.9	128	37.9
Probation or suspended sentence.....	77	30.2	105	26.6	91	28.0	97	29.6	87	25.7
Local jail or workhouse.....	35	13.7	72	18.2	66	20.3	53	16.2	63	18.6
Fine or costs only.....	40	15.7	50	12.7	37	11.4	30	9.1	34	10.1
Institution for juvenile delinquents only.....	4	1.6	20	5.1	14	4.3	13	4.0	6	1.8
Other sentence.....	1	0.4	1	0.3	-	-	1	0.3	-	-

Table 4. DISPOSITION IN TRIAL COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED									
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Fleeced guilty	Found guilty--											
				By court ¹	By jury				By court ¹	By jury										
All offenses.....	3,553	519	456	9	14	40	3,034	2,525	486	23	3,034	-	117	206	595	2,098	16	2		
Major offenses.....	410	155	139	-	6	10	255	211	30	14	255	-	98	77	35	40	4	1		
Murder.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Manslaughter.....	2	1	1	-	-	-	1	-	-	1	1	-	-	1	-	-	-	-		
Robbery.....	7	5	5	-	-	-	2	-	1	1	2	-	2	-	-	-	-	-		
Aggravated assault.....	7	3	3	-	-	-	4	2	-	2	4	-	4	-	-	-	-	-		
Burglary.....	33	14	14	-	-	-	19	17	-	2	19	-	11	8	-	-	-	-		
Larceny, except auto theft.....	209	84	72	-	4	8	125	104	16	5	125	-	34	35	27	26	2	1		
Auto theft.....	16	6	6	-	-	-	10	8	2	-	10	-	5	1	-	4	-	-		
Embezzlement and fraud.....	20	6	5	-	-	1	14	14	-	-	14	-	2	4	4	4	-	-		
Stolen property, receiving, etc.....	11	3	2	-	-	1	8	6	2	-	8	-	2	1	1	4	-	-		
Forgery and counterfeiting.....	12	1	1	-	-	-	11	10	1	-	11	-	2	7	-	1	1	-		
Rape.....	16	5	5	-	-	-	11	11	-	-	11	-	8	3	-	-	-	-		
Commercialized vice.....	3	-	-	-	-	-	3	2	1	-	3	-	3	-	-	-	-	-		
Other sex offenses.....	51	18	17	-	1	-	33	25	5	3	33	-	23	9	1	-	-	-		
Violating drug laws.....	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Carrying, etc., weapons....	2	-	-	-	-	-	2	1	1	-	2	-	-	2	-	-	-	-		
Other major offenses.....	20	8	7	-	1	-	12	11	1	-	12	-	2	6	2	1	1	-		
Abortion.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-		
Arson.....	7	4	3	-	1	-	3	3	-	-	3	-	1	1	-	-	1	-		
Bigamy.....	2	1	1	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-		
Blackmail and extortion.....	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Escape and jail break....	8	2	2	-	-	-	6	5	1	-	6	-	-	4	2	-	-	-		
Kidnaping.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Perjury.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	-	1	-	-		
Minor offenses ²	3,143	364	317	9	8	30	2,779	2,314	456	9	2,779	-	19	129	560	2,058	12	1		

¹ Jury waived.

² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

2-27-44

July 15, 1944

JUDICIAL CRIMINAL STATISTICS: 1942

WASHINGTON

A total of 1,187 defendants were disposed of for major offenses in the superior courts of Washington during the calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,187 defendants, 896, or 75.5 percent, were convicted and sentenced; and 493, or 55.0 percent, of the defendants convicted and sentenced were sent to a prison or reformatory. Of the 888 defendants charged with major crimes against property in 1942 (robbery, burglary, larceny, theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 681, or 76.7 percent, were convicted; and of the 140 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 105, or 75.0 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 97.5 in 1938 to 70.0 in 1942. The rate for defendants convicted decreased from 80.9 in 1938 to 52.8 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with burglary following in second place, and the two offense groups together accounting for 49.3 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 83.0 percent of all defendants disposed of for major offenses were convicted. This percentage was 82.9 in 1938, 84.3 in 1939, 84.8 in 1940, 84.4 in 1941, and 75.5 in 1942. In 1942, 69.4 percent of

all defendants entered a plea of guilty, whereas only 5.9 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 57.6 percent were sentenced to a prison or reformatory. The percentage for 1938 was higher than this figure, and the percentages for the remaining years were somewhat lower. Of all defendants convicted of major offenses during these 5 years, 26.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1.—DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 39 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1942, 38 counties, 96.9 percent; 1941, 36 counties, 95.7 percent; 1940, 1939, and 1938, all counties, 100.0 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ³
DEFENDANTS DISPOSED OF										
Total.....	1,187	1,334	1,584	1,614	1,637	70.0	80.2	91.2	94.6	97.5
Murder.....	15	13	16	13	32	0.9	0.8	0.9	0.8	1.9
Manslaughter.....	33	49	42	29	44	1.9	2.9	2.4	1.7	2.6
Larceny.....	44	76	76	88	83	2.6	4.6	4.4	5.2	4.9
Aggravated assault.....	58	36	55	45	66	3.4	2.2	3.2	2.6	4.0
Burglary.....	227	257	324	377	361	13.4	15.5	18.7	22.1	21.5
Auto theft, except auto theft.....	358	366	476	507	456	21.1	22.0	27.4	29.7	27.2
Theft.....	121	169	122	124	97	7.1	10.2	7.0	7.3	5.8
Embezzlement and fraud.....	14	28	51	10	30	0.8	1.7	2.9	0.6	1.8
Stolen property, receiving, etc.....	9	22	19	10	13	0.5	1.3	1.1	0.6	0.8
Forgery and counterfeiting.....	115	119	187	161	205	6.8	7.2	10.8	9.4	12.2
Other major offenses.....	34	31	48	22	45	2.0	1.9	2.8	1.3	2.7
Total.....	159	168	168	228	205	9.4	10.1	9.7	13.4	12.2
DEFENDANTS CONVICTED										
Total.....	896	1,152	1,343	1,360	1,357	52.8	69.3	77.4	79.7	80.9
Murder.....	11	11	10	7	19	0.6	0.7	0.6	0.4	1.1
Manslaughter.....	22	35	26	17	28	1.3	2.1	1.5	1.0	1.7
Larceny.....	39	61	66	71	70	2.3	3.7	3.8	4.2	4.2
Aggravated assault.....	45	32	44	33	53	2.7	1.9	2.5	2.0	3.2
Burglary.....	188	236	300	349	323	11.1	14.2	17.3	20.5	19.2
Auto theft, except auto theft.....	257	307	401	418	383	15.2	18.5	23.1	24.5	22.8
Theft.....	85	154	108	110	82	5.0	9.3	6.2	6.4	4.9
Embezzlement and fraud.....	8	23	31	5	11	0.5	1.4	1.8	0.3	0.7
Stolen property, receiving, etc.....	4	16	14	9	10	0.2	1.0	0.8	0.5	0.6
Forgery and counterfeiting.....	100	112	174	146	178	5.9	6.7	10.0	8.6	10.6
Other major offenses.....	27	24	37	16	30	1.6	1.4	2.1	0.9	1.8
Total.....	110	141	132	179	170	6.5	8.5	7.6	10.5	10.1

Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published were based on the Population Census of 1940.

Based on Population Census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--WASHINGTON

Table 2.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,187	100.0	1,334	100.0	1,584	100.0	1,614	100.0	1,637	100.0
Disposed of without conviction.....	291	24.5	182	13.6	241	15.2	254	15.7	280	17.1
Dismissed.....	196	16.5	140	10.5	186	11.7	177	11.0	200	12.2
Acquitted by court (jury waived).....	2	0.2	1	0.1	1	0.1	1	0.1	6	0.4
Acquitted by jury.....	42	3.5	39	2.9	40	2.5	58	3.6	58	3.5
Other no-penalty disposition.....	51	4.3	2	0.1	14	0.9	18	1.1	16	1.0
Convicted and sentenced.....	896	75.5	1,152	86.4	1,343	84.8	1,360	84.3	1,357	82.9
Plead guilty.....	824	69.4	1,022	76.6	1,234	77.9	1,235	76.5	1,206	73.7
Found guilty by court (jury waived).....	2	0.2	35	2.6	2	0.1	4	0.2	19	1.2
Found guilty by jury.....	70	5.9	95	7.1	107	6.8	121	7.5	132	8.1

Table 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	896	100.0	1,152	100.0	1,343	100.0	1,360	100.0	1,357	100.0
Death penalty.....	2	0.2	1	0.1	4	0.3	2	0.1	4	0.3
Prison or reformatory.....	493	55.0	628	54.5	766	57.0	776	57.1	853	62.9
Probation or suspended sentence.....	239	26.7	369	32.0	381	28.4	356	26.2	288	21.2
Local jail or workhouse.....	142	15.8	139	12.1	182	13.6	203	14.9	198	14.6
Fine or costs only.....	11	1.2	13	1.1	10	0.7	12	0.9	7	0.5
Institution for juvenile delinquents only..	6	0.7	2	0.2	-	-	9	0.7	7	0.5
Other sentence.....	3	0.3	-	-	-	-	2	0.1	-	-

Table 4.—DISPOSITION IN SUPERIOR COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juveniles delinquents only	Other sentences
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,577	449	321	3	51	74	1,128	1,028	6	94	1,128	2	508	289	225	93	6	5
Major offenses.....	1,187	291	196	2	42	51	896	824	2	70	896	2	493	239	142	11	6	3
Murder.....	15	4	-	-	4	-	11	3	1	7	11	2	9	-	-	-	-	-
Manslaughter.....	33	11	3	-	7	1	22	18	-	4	22	-	8	9	4	1	-	-
Robbery.....	44	5	1	-	2	2	39	35	-	4	39	-	35	4	-	-	-	-
Aggravated assault.....	58	13	10	-	1	2	45	36	-	9	45	-	22	10	12	1	-	-
Burglary.....	227	39	28	1	5	5	188	175	-	13	188	-	123	57	5	-	3	-
Larceny, except auto theft..	358	101	67	-	10	24	257	244	1	12	257	-	91	88	70	4	1	-
Auto theft.....	121	36	27	1	6	2	85	79	-	6	85	-	51	30	3	1	-	-
Embezzlement and fraud.....	14	6	4	-	-	2	8	7	-	1	8	-	3	2	3	-	-	-
Stolen property, receiving, etc.....	9	5	3	-	-	2	4	4	-	-	4	-	-	1	1	-	2	-
Forgery and counterfeiting..	115	15	13	-	-	2	100	97	-	3	100	-	76	22	2	-	-	-
Rape.....	34	7	5	-	2	-	27	27	-	-	27	-	20	2	5	-	-	-
Commercialized vices.....	2	1	1	-	-	-	1	1	-	-	1	-	-	-	1	-	-	-
Other sex offenses.....	112	34	25	-	3	6	78	70	-	8	78	-	39	11	28	-	-	-
Violating drug laws.....	8	4	2	-	-	2	4	4	-	-	4	-	-	1	3	-	-	-
Carrying, etc., weapons.....	7	3	2	-	-	1	4	4	-	-	4	-	2	-	1	1	-	-
Other major offenses.....	30	7	5	-	2	-	23	20	-	3	23	-	14	2	4	3	-	-
Abortion.....	3	1	-	-	1	-	2	2	-	-	2	-	-	-	2	-	-	-
Arson.....	9	2	1	-	1	-	7	5	-	2	7	-	3	1	-	3	-	-
Bigamy.....	3	-	-	-	-	-	3	2	-	1	3	-	2	1	-	-	-	-
Blackmail and extortion.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Escape and jail break.....	7	-	-	-	-	-	7	7	-	-	7	-	7	-	-	-	-	-
Kidnaping.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Perjury.....	4	2	2	-	-	-	2	2	-	-	2	-	-	-	2	-	-	-
Minor offenses ²	390	158	125	1	9	23	232	204	4	24	232	-	15	50	83	82	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1942

WISCONSIN

total of 2,247 defendants were disposed of for major offenses in the reporting courts of Wisconsin during calendar year 1942, according to reports received from the clerks of court by the Bureau of the Census. These 2,247 defendants, 1,826, or 81.3 percent, were convicted and sentenced; 726, or 39.6 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence; and 700, or 38.3 percent, were sentenced to a State prison or reformatory. Of the 1,494 defendants disposed of for major offenses against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 1,234, or 82.6 percent, were convicted; and of the 267 persons disposed of for crimes against the person (murder, manslaughter, aggravated assault, and rape) 176, or 65.9 percent, were convicted.

Of the defendants disposed of for major offenses during 1942, more defendants were disposed of for larceny than for any other offense, with burglary following in second place, and the two offense groups accounting for 34.2 percent of all major offense dispositions. (See table 1.)

During the past five years, 83.8 percent of all defendants disposed of for major crimes were convicted. Percentage convicted decreased from 86.2 percent in 1939 to 81.3 percent in 1942. In 1942, 68.4 percent of defendants entered a plea of guilty whereas only 1.8 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past five years, 40.3 percent were placed on probation or given a suspended sentence. The percentages for 1940, and 1942 fell below this amount, while those

for 1939 and 1941 were somewhat higher. Of all defendants convicted of major offenses during the past five years, 34.2 percent were sentenced to a State prison or reformatory.

Under Wisconsin law, county, municipal, and superior courts in some counties exercise varying degrees of criminal jurisdiction concurrently with the circuit court. Not all courts which exercise original felony jurisdiction in these counties have submitted a report on criminal dispositions during the past five years. Reports from one or more courts were received from each of 66 of the 71 counties of the State in 1942, from 67 counties in 1941 and 1940, from 62 counties in 1939, and from 63 counties in 1938. It is estimated that the reporting courts account for not less than 72 percent of all of the judicial criminal proceedings in the State in 1942; 87 percent, in 1941; 90 percent, in 1940; 83 percent, in 1939; and 87 percent, in 1938.

The statistics presented in this report are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1942 and the preceding four years, are presented in table 1. Table 2 shows the procedural outcome of dispositions for major offenses during the past five years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED FOR MAJOR OFFENSES: 1938 TO 1942

[See text for coverage]

OFFENSE	DEFENDANTS DISPOSED OF					DEFENDANTS CONVICTED				
	1942	1941	1940	1939	1938	1942	1941	1940	1939	1938
Total.....	2,247	2,710	3,192	3,225	3,430	1,826	2,232	2,664	2,719	2,958
Murder.....	19	18	19	12	23	12	14	15	11	20
Manslaughter.....	25	50	34	32	41	14	37	23	28	34
Burglary.....	75	101	104	87	95	64	85	91	81	87
Aggravated assault.....	87	124	98	134	169	72	110	83	101	137
Larceny.....	357	350	476	529	533	307	317	427	486	499
Auto theft, except auto theft.....	450	547	761	810	860	370	474	681	726	757
Auto theft.....	201	244	233	229	227	178	209	194	199	193
Embezzlement and fraud.....	160	245	416	366	363	96	173	268	227	281
Stolen property, receiving, etc.....	38	21	57	52	45	29	19	47	39	36
Forgery and counterfeiting.....	213	319	308	258	294	190	242	273	241	267
Other.....	136	186	195	186	198	78	142	147	157	160
Major offenses.....	486	505	491	530	582	416	410	415	423	487

JUDICIAL CRIMINAL STATISTICS--WISCONSIN

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,247	100.0	2,710	100.0	3,192	100.0	3,225	100.0	3,430	100.0
Disposed of without conviction.....	421	18.7	478	17.6	528	16.5	506	15.7	472	13.8
Dismissed.....	311	13.8	330	12.2	409	12.8	388	12.0	335	9.8
Acquitted by court (jury waived).....	11	0.5	18	0.7	18	0.6	47	1.5	71	2.1
Acquitted by jury.....	25	1.1	32	1.2	16	0.5	27	0.8	34	1.0
Other no-penalty disposition.....	74	3.3	98	3.6	85	2.7	44	1.4	32	0.9
Convicted and sentenced.....	1,826	81.3	2,232	82.4	2,664	83.5	2,719	84.3	2,958	86.2
Pleading guilty.....	1,538	68.4	1,890	69.7	2,378	74.5	2,373	73.6	2,585	75.4
Found guilty by court (jury waived).....	248	11.0	274	10.1	217	6.8	277	8.6	290	8.5
Found guilty by jury.....	40	1.8	68	2.5	69	2.2	69	2.1	83	2.4

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

[Death penalty not applicable in Wisconsin]

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	1,826	100.0	2,232	100.0	2,664	100.0	2,719	100.0	2,958	100.0
Prison or reformatory.....	700	38.3	899	40.3	917	34.4	830	30.5	899	30.4
Probation or suspended sentence.....	726	39.8	911	40.8	1,052	39.5	1,154	42.4	1,158	39.1
Local jail or workhouse.....	181	9.9	246	11.0	364	13.7	431	15.9	561	19.0
Fine or costs only.....	201	11.0	140	6.3	283	10.6	264	9.7	315	10.6
Institution for juvenile delinquents only.	14	0.8	25	1.1	36	1.4	36	1.3	25	0.8
Other sentences.....	4	0.2	11	0.5	12	0.5	4	0.1	-	-

Table 4. DISPOSITION IN REPORTING COURTS OF DEFENDANTS FOR ALL OFFENSES

[Death penalty not applicable in Wisconsin]

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentences
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	6,821	1,066	778	49	40	199	5,755	5,050	637	68	5,755	797	1,349	541	3,026	16	21
Major offenses.....	2,247	421	311	11	25	74	1,826	1,538	248	40	1,826	700	726	181	201	14	4
Murder.....	19	7	1	-	2	4	12	6	3	3	12	11	1	-	-	-	-
Manslaughter.....	25	11	4	-	6	1	14	10	2	2	14	6	4	4	-	-	-
Robbery.....	75	11	7	1	2	1	64	48	13	3	64	49	13	1	1	-	-
Aggravated assault.....	87	15	11	-	1	3	72	45	25	2	72	34	20	14	4	-	-
Burglary.....	357	50	39	3	2	6	307	279	22	6	307	149	149	8	-	1	-
Larceny, except auto theft.	450	80	64	2	2	12	370	322	45	3	370	73	168	56	69	4	-
Auto theft.....	201	23	15	-	-	8	178	154	23	1	178	75	81	12	5	5	-
Embezzlement and fraud.....	160	64	50	2	1	11	96	86	8	2	96	18	51	18	9	-	-
Stolen property, receiving, etc.....	38	9	6	1	-	2	29	28	-	1	29	8	10	6	5	-	-
Forgery and counterfeiting.	213	23	21	1	-	1	190	176	14	-	190	106	78	3	3	-	-
Rape.....	136	58	47	-	6	5	78	61	13	4	78	42	31	2	3	-	-
Commercialized vice.....	62	6	5	-	-	1	56	41	12	3	56	6	6	5	39	-	-
Other sex offenses.....	361	56	37	-	3	16	305	235	60	10	305	98	102	50	50	1	-
Violating drug laws.....	1	-	-	-	-	-	1	-	1	-	1	-	-	1	-	-	-
Carrying, etc., weapons....	20	2	1	-	-	1	18	14	4	-	18	2	3	1	9	3	-
Other major offenses.....	42	6	3	1	-	2	36	33	3	-	36	23	9	-	4	-	-
Abortion.....	2	1	1	-	-	-	1	1	-	-	1	1	-	-	-	-	-
Arson.....	11	2	-	-	-	2	9	7	2	-	9	3	3	-	3	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion....	3	1	-	1	-	-	2	2	-	-	2	1	1	-	-	-	-
Escape and jail break.....	19	-	-	-	-	-	19	19	-	-	19	16	3	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	7	2	2	-	-	-	5	4	1	-	5	2	2	-	1	-	-
Minor offenses ²	4,574	645	467	38	15	125	3,929	3,512	389	28	3,929	97	623	360	2,825	2	21

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which usually tried in minor courts.

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JUDICIAL CRIMINAL STATISTICS: 1942

WYOMING

A total of 186 defendants were disposed of for major offenses in the district courts of Wyoming during the calendar year 1942, according to reports received from the clerk of court by the Bureau of the Census. Of these 186 defendants, 139, or 74.7 percent, were convicted and sentenced; and 89, or 64.0 percent, of the defendants convicted and sentenced were sent to a State prison reformatory. Of the 141 defendants disposed of for major crimes against property in 1942 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 110, or 78.0 percent, were convicted; and of the 33 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 22 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 138.0 in 1938 to 80.2 in 1942, although there was an increase to 155.5 in 1939. The rate for defendants convicted of major offenses followed the same general trend, increasing from 107.5 in 1938 to 129.7 in 1939, decreasing to 99.7 in 1940, increasing to 102.9 in 1941, and then dropping to 59.9 in 1942. More defendants were disposed of for larceny than for any other offense during 1942, with forgery and counterfeiting following in second place and the two offense groups together accounting for 44.6 percent of the major offense dispositions.

During the past 5 years, 80.0 percent of all defendants disposed of for major crimes were convicted. In 1938, 77.9 percent of the defendants were convicted;

in 1939, 83.4 percent; in 1940, 77.6 percent; in 1941, 83.6 percent; and in 1942, 74.7 percent. In 1942, 72.0 percent of all defendants entered a plea of guilty, whereas only 1.6 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 60.1 percent were sentenced to a State prison or reformatory. The percentages for 1940 and 1941 fell below this figure, while those for 1938, 1939, and 1942 were somewhat higher. Only 27.2 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1942 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1942 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1938 TO 1942
Statistics for all years except 1938 based on reports for all of the 23 counties of the State. Statistics for 1938 based on reports from 21 counties which contained 93.8 percent of the 1940 population of the State]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1942	1941	1940	1939	1938	1942 ¹	1941 ¹	1940 ²	1939 ³	1938 ⁴
DEFENDANTS DISPOSED OF										
Total.....	186	292	322	385	317	80.2	123.2	128.4	155.5	138.0
Murder.....	7	5	4	4	6	3.0	2.1	1.6	1.6	2.6
Manslaughter.....	8	2	5	7	1	3.4	0.8	2.0	2.8	0.4
Burglary.....	13	15	15	17	6	5.6	6.3	6.0	6.9	2.6
Aggravated assault.....	10	10	10	17	15	4.3	4.2	4.0	6.9	6.5
Larceny.....	14	57	72	98	64	6.0	24.0	28.7	39.6	27.9
Larceny, except auto theft.....	51	85	82	92	82	22.0	35.9	32.7	37.2	35.7
Auto theft.....	14	22	20	29	19	6.0	9.8	8.0	11.7	8.3
Embezzlement and fraud.....	8	10	28	22	30	3.4	4.2	11.2	8.9	13.1
Stolen property, receiving, etc.....	9	7	6	9	8	3.9	3.0	2.4	3.6	3.5
Forgery and counterfeiting.....	32	64	60	70	50	13.8	27.0	23.9	28.3	21.8
Perjury.....	8	9	8	17	14	3.4	3.8	3.2	6.9	6.1
Other major offenses.....	12	6	12	3	22	5.2	2.5	4.8	1.2	9.0
DEFENDANTS CONVICTED										
Total.....	139	244	250	321	247	59.9	102.9	99.7	129.7	107.5
Murder.....	5	4	2	1	6	2.2	1.7	0.8	0.4	2.6
Manslaughter.....	4	2	3	4	1	1.7	0.8	1.2	1.6	0.4
Burglary.....	12	13	13	16	4	5.2	5.5	5.2	6.5	1.7
Aggravated assault.....	9	7	7	13	10	3.9	3.0	2.8	5.3	4.4
Larceny.....	10	50	65	91	60	4.3	21.1	25.9	36.8	26.1
Larceny, except auto theft.....	42	75	65	77	62	18.1	31.6	25.9	31.1	27.0
Auto theft.....	10	13	13	26	19	4.3	5.5	5.2	10.5	8.3
Embezzlement and fraud.....	6	6	13	16	21	2.6	2.5	5.2	6.5	9.1
Stolen property, receiving, etc.....	6	7	5	5	6	2.6	3.0	2.0	2.0	2.6
Forgery and counterfeiting.....	24	59	50	61	43	10.3	24.9	19.9	24.6	18.7
Perjury.....	4	3	4	9	4	1.7	1.3	1.6	3.6	1.7
Other major offenses.....	7	5	10	2	11	3.0	2.1	4.0	0.8	4.8

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--WYOMING

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1938 TO 1942

PROCEDURAL OUTCOME	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	186	100.0	292	100.0	322	100.0	385	100.0	317	100.0
Disposed of without conviction.....	47	25.3	48	16.4	72	22.4	64	16.6	70	22.1
Dismissed.....	36	19.4	36	12.3	63	19.6	54	14.0	53	16.7
Acquitted by court (jury waived).....	-	-	-	-	-	-	-	-	5	1.6
Acquitted by jury.....	5	2.7	9	3.1	7	2.2	9	2.3	11	3.5
Other no-penalty disposition.....	6	3.2	3	1.0	2	0.6	1	0.3	1	0.3
Convicted and sentenced.....	139	74.7	244	83.6	250	77.6	321	83.4	247	77.9
Pleaded guilty.....	134	72.0	238	81.5	237	73.6	311	80.8	238	73.5
Found guilty by court (jury waived).....	2	1.1	1	0.3	6	1.9	-	-	8	2.5
Found guilty by jury.....	3	1.6	5	1.7	7	2.2	10	2.6	6	1.9

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1938 TO 1942

SENTENCE	1942		1941		1940		1939		1938	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced..	139	100.0	244	100.0	250	100.0	321	100.0	247	100.0
Death penalty.....	-	-	-	-	-	-	-	-	1	0.4
Prison or reformatory.....	89	64.0	135	55.3	147	58.8	196	61.1	155	62.8
Probation or suspended sentence.....	34	24.5	85	34.8	78	31.2	89	27.7	41	16.6
Local jail or workhouse.....	8	5.8	13	5.3	8	3.2	10	3.1	13	5.3
Fine or costs only.....	4	2.9	1	0.4	4	1.6	6	1.9	6	2.4
Institution for juvenile delinquents only.....	4	2.9	10	4.1	13	5.2	20	6.2	31	12.6
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION IN DISTRICT COURTS OF DEFENDANTS FOR ALL OFFENSES: 1942

OFFENSE	Total defendants disposed of	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS								SENTENCE FOR THOSE CONVICTED								Other sentenced
		Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reforma- tory	Probation or suspended sentence	Local jail or work- house	Fine or costs only	Insti- tution for juvenile delin- quents only		
		Total	Dis- missed	Acquitted--		Other non- pen- alty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹								By jury	
All offenses.....	248	61	48	-	5	8	187	166	18	3	187	-	92	55	8	12	20	
Major offenses.....	186	47	36	-	5	6	139	134	2	3	139	-	89	34	8	4	4	
Murder.....	7	2	2	-	-	-	5	3	-	2	5	-	4	-	1	-	-	
Manslaughter.....	8	4	3	-	1	-	4	-	-	4	-	-	4	-	-	-	-	
Robbery.....	13	1	1	-	-	-	12	12	-	-	12	-	10	-	-	1	1	
Aggravated assault.....	10	1	1	-	-	-	9	8	1	-	9	-	4	1	3	1	-	
Burglary.....	14	4	4	-	-	-	10	10	-	-	10	-	7	3	-	-	-	
Larceny, except auto theft.....	51	9	7	-	2	-	42	41	1	-	42	-	22	13	4	-	3	
Auto theft.....	14	4	4	-	-	-	10	10	-	-	10	-	8	2	-	-	-	
Embezzlement and fraud.....	8	2	1	-	-	1	6	6	-	-	6	-	4	1	-	1	-	
Stolen property, receiving, etc.....	9	3	-	-	2	1	6	6	-	-	6	-	2	4	-	-	-	
Forgery and counterfeiting.....	32	8	4	-	-	4	24	24	-	-	24	-	17	7	-	-	-	
Rape.....	8	4	4	-	-	-	4	4	-	-	4	-	2	2	-	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	6	1	1	-	-	-	5	4	-	1	5	-	3	1	-	1	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other major offense.....	6	4	4	-	-	-	2	2	-	-	2	-	2	-	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion.....	3	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offense ²	62	14	12	-	-	2	48	32	16	-	48	-	3	21	-	8	16	

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

U. S. DEPARTMENT OF COMMERCE
Henry A. Wallace, Secretary
BUREAU OF THE CENSUS
J. C. Capt, Director

JUDICIAL CRIMINAL STATISTICS

1943



Prepared under the supervision of
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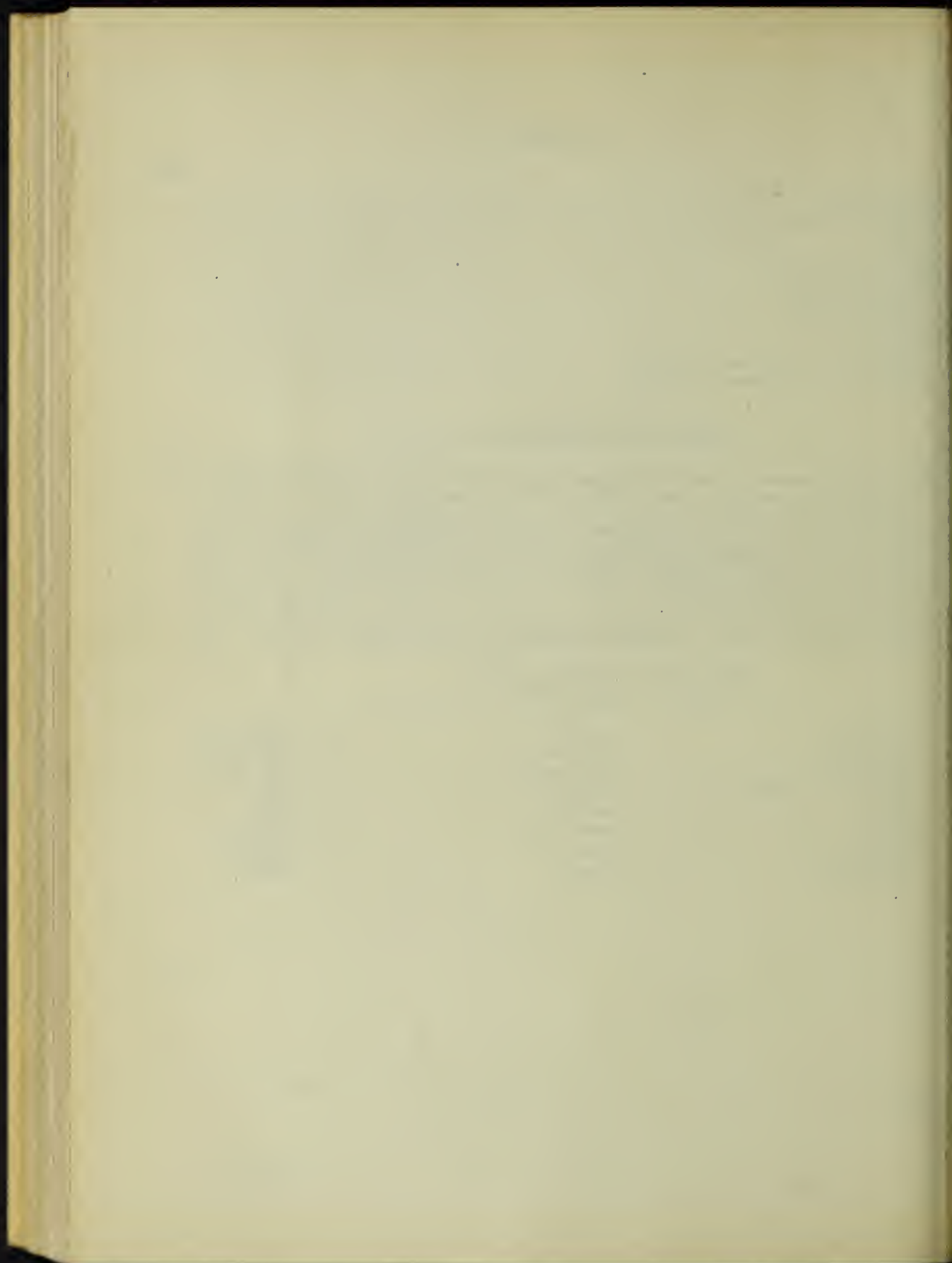
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JUDICIAL CRIMINAL STATISTICS: 1943

SUMMARY

INTRODUCTION

This report presents statistics on the disposition of criminal offenders in the courts of general jurisdiction in some 25 States for 1943. Statistics of this type have been collected annually by the Bureau of the Census since 1932. The material presented here constitutes a brief summary of the data collected from the cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods of collection, as well as for a detailed analysis of the data collected.

Acknowledgment.—The generous cooperation of the clerks of court and of the State officials and other special agents through whom the data were supplied, which made possible the publication of this report, is gratefully acknowledged.

Summary of 1943 statistics.—The statistics indicate that 76 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction during 1943 were convicted. A little more than seven-tenths of those disposed of without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for 82 percent of all convictions. Of the defendants convicted and sentenced, 38 percent were sentenced to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

Scope.—Twenty-five States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports on defendants in criminal cases disposed of during the year 1943 in courts having original felony jurisdiction. This is the twelfth year in which the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 6 States; 24 States furnished information for 1933, 27 for 1934, 30 for 1935 and 1936, 29 for 1937, 27 for 1938, 25 for 1939, 27 for 1940, and 25 for 1941 and 1942.

Significance of data.—The judicial criminal statistics gathered by the Bureau of the Census represent, for the most part, statistics on criminal defendants disposed of by courts of general jurisdiction in the cooperating States. In most States, there is a court of general

jurisdiction in each county that has authority to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus, any offender charged with a felony will be tried in a court of general jurisdiction, although he may have a preliminary examination in a minor court. In a few States, the power to try and dispose of felony charges has been extended in certain instances to minor courts, such as municipal and county courts.

Although most offenders convicted of felony charges are disposed of by courts of general jurisdiction, not all felony charges come before these courts. Many offenders arrested on felony charges are disposed of finally in minor courts, either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor which is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction do not account for the prosecution of all offenders charged with felonies. A complete picture of the administration of criminal justice would require, of course, statistics covering all action taken in a criminal case, from the point of arrest or the filing of the first charge to final disposition.

There are differences from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. Although most States have one court of general jurisdiction in each county, in some States special jurisdiction to dispose of felony offenses has been given to local courts that otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. In addition, however, the municipal courts of that State have been granted power to dispose of felony cases when the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both county and municipal courts in Vermont to obtain adequate coverage of the felony convictions in that State.

There may be considerable variation in the extent of jurisdiction possessed by the general trial courts even within a single State. Their misdemeanor jurisdiction is essentially residual; that is, they may dispose of all types of

cases not within the exclusive jurisdiction of a lower court. In metropolitan counties the lower courts handle the bulk of lesser offenses and felony cases only are tried in the general court. In rural counties, however, nearly all cases, felony and misdemeanor, come before the general trial court. There are, therefore, real difficulties in a comparative analysis of these statistics. For this reason, the summary reports are limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics that would otherwise result from the widely differing jurisdiction of the reporting courts. No refinement of selection, however, will make up for the fact that these statistics do not embody the results of the early stages in the prosecution of felony cases.

METHODS OF COLLECTION

Tally-sheet method.—For most States, the judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. This provides for the tallying of all defendants disposed of during the year by offense and method of disposition and for the tallying of all persons convicted by offense for which convicted and sentence imposed. The 1943 data were collected by this tally-sheet method in 20 of the 25 States. In Pennsylvania a summary tally sheet was prepared from reports of the clerks and submitted to the Bureau by the Department of Welfare. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. Reports for the District of Columbia were prepared by the Administrative Office of the United States Courts.

Case-card method.—In two of the States—Ohio and Minnesota—judicial criminal statistics are collected on the basis of individual-case reports. Under this system, the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collecting, editing, and clarifying of recorded data is done by a central statistical agency of the State, thus insuring uniform interpretation of the data reported. The cards are forwarded annually to the Bureau of the Census where they are coded and tabulated.

This method is far more flexible than the tally-sheet method because it makes possible a more intensive analysis of the data collected and can quite easily be adapted to the particular record-keeping routines used by different clerks of court.

ANALYSIS OF 1943 DATA

General.—The 1943 report consists principally of summaries for each of the 25 cooperating States. For 24 States it was possible to present a 5-year comparison showing, by major offense, the number of defendants charged and convicted. State figures on the procedural outcome and type of sentence imposed are also shown in 5-year comparison tables. Such comparisons for a given State are probably more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

Disposition and sentence, by States.—Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were disposed of without conviction, and the number and proportion convicted. The proportion of defendants disposed of without conviction ranged from 34.9 in New Mexico to 4.8 in Rhode Island, and conversely, the proportion convicted ranged from 95.2 in Rhode Island to 65.1 in New Mexico.

Table 1.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES, BY STATES: 1943

STATE	Defendants disposed of	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED	
		Number	Per cent	Number	Per cent
Total, 25 States	48,719	11,953	24.5	36,766	75.5
California.....	7,463	1,805	24.2	5,658	75.8
Colorado.....	1,053	209	19.8	844	80.2
Connecticut ¹	975	126	12.9	849	87.1
District of Columbia..	1,498	435	29.0	1,063	71.0
Idaho.....	241	60	24.9	181	75.1
Iowa.....	1,201	327	27.2	874	72.8
Kansas.....	945	295	31.2	650	68.8
Massachusetts.....	2,248	350	15.6	1,898	84.4
Minnesota.....	929	103	11.1	826	88.9
Montana.....	246	60	24.4	186	75.6
New Hampshire.....	220	18	8.2	202	91.8
New Jersey.....	4,466	1,087	24.3	3,379	75.7
New Mexico.....	720	251	34.9	469	65.1
New York.....	6,829	1,753	25.7	5,076	74.3
North Dakota.....	253	51	20.2	202	79.8
Ohio.....	3,236	613	18.9	2,623	81.1
Oregon.....	608	121	19.9	487	80.1
Pennsylvania.....	11,040	3,419	31.0	7,621	69.0
Rhode Island.....	291	14	4.8	277	95.2
South Dakota.....	176	29	16.5	147	83.5
Utah.....	303	94	31.0	209	69.0
Vermont.....	376	109	29.0	267	71.0
Washington.....	1,239	225	18.2	1,014	81.8
Wisconsin.....	1,939	351	18.1	1,588	81.9
Wyoming.....	224	48	21.4	176	78.6

¹ Statistics are for the year July 1, 1943, through June 30, 1944.

Table 2 shows the number and proportion of defendants disposed of without conviction for

each of the three types of disposition, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions accounted for the great majority of defendants eliminated, ranging from 98.0 percent in North Dakota to 6.3 percent in Massachusetts.

It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States there is no legal provision for waiver of jury trial in a felony case. In Massachusetts 38.0 percent of the defendants disposed of without conviction were acquitted by jury, whereas in North Dakota there were no cases of this type.

Table 2.—DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1943

(Percent not shown where base is less than 50)

STATE	Defendants disposed of without conviction	DISMISSED AND OTHER NO-PENALTY		ACQUITTED--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total, 25 States.....	11,953	8,496	71.1	1,081	9.0	2,376	19.9
California.....	1,805	1,250	69.3	325	18.0	230	12.7
Colorado.....	209	170	81.3	2	1.0	37	17.7
Connecticut ²	126	105	83.3	11	8.7	10	7.9
District of Columbia.....	435	297	68.3	-	-	138	31.7
Idaho.....	60	56	93.3	-	-	4	6.7
Iowa.....	327	233	71.3	71	21.7	23	7.0
Kansas.....	295	266	90.2	1	0.3	28	9.5
Massachusetts.....	350	162	46.3	55	15.7	133	38.0
Minnesota.....	103	78	75.7	-	-	25	24.3
Montana.....	60	48	80.0	4	6.7	8	13.3
New Hampshire.....	18	16	88.9	-	-	2	11.1
New Jersey.....	1,087	801	73.7	187	17.2	99	9.1
New Mexico.....	251	217	86.5	8	3.2	26	10.4
New York.....	1,753	1,544	88.1	-	-	209	11.9
North Dakota.....	51	50	98.0	1	2.0	-	-
Ohio.....	613	447	72.9	79	12.9	87	14.2
Oregon.....	121	94	77.7	6	5.0	21	17.4
Pennsylvania.....	3,419	1,909	55.8	319	9.3	1,191	34.8
Rhode Island.....	14	10	71.4	-	-	4	28.6
South Dakota.....	29	25	86.2	-	-	4	13.8
Utah.....	94	64	68.1	-	-	30	31.9
Vermont.....	109	105	96.3	-	-	4	3.7
Washington.....	225	187	83.1	-	-	38	16.9
Wisconsin.....	351	319	90.9	12	3.4	20	5.7
Wyoming.....	48	43	89.6	-	-	5	10.4

¹ Jury waived.

² Statistics are for the year July 1, 1943, through June 30, 1944.

Table 3 shows the number and proportion of convictions for each of the three types of conviction: (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. A plea of guilty was the most frequent method of reaching a conviction. The proportion of convictions resulting

from pleas of guilty ranged from 98.5 percent in North Dakota to 67.5 in Utah. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted for 29.7 percent of all convictions in Utah and 1.0 percent in North Dakota.

Table 3.—DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY METHOD OF CONVICTION, BY STATES: 1943

STATE	Defendants convicted and sentenced	PLEADED GUILTY		FOUND GUILTY--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total, 25 States.....	31,690	26,027	82.1	2,436	7.7	3,227	10.2
California.....	5,658	4,545	80.3	611	10.8	502	8.9
Colorado.....	844	734	87.0	9	1.1	101	12.0
Connecticut ²	849	762	89.8	71	8.4	16	1.9
District of Columbia.....	1,063	820	77.1	9	0.8	234	22.0
Idaho.....	181	152	84.0	16	8.8	13	7.2
Iowa.....	874	792	90.6	45	5.1	37	4.2
Kansas.....	650	586	90.2	14	2.2	50	7.7
Massachusetts.....	1,898	1,649	86.9	79	4.2	170	9.0
Minnesota.....	826	777	94.1	5	0.6	44	5.3
Montana.....	186	168	90.3	4	2.2	14	7.5
New Hampshire.....	202	177	87.6	15	7.4	10	5.0
New Jersey.....	3,379	2,827	83.7	427	12.6	125	3.7
New Mexico.....	469	425	90.6	15	3.2	29	6.2
New York ³	-	-	-	-	-	-	-
North Dakota.....	202	199	98.5	1	0.5	2	1.0
Ohio.....	2,623	2,220	84.6	196	7.5	207	7.9
Oregon.....	487	438	89.9	22	4.5	27	5.5
Pennsylvania.....	7,621	5,545	72.8	656	8.6	1,420	18.6
Rhode Island.....	277	268	96.8	-	-	9	3.2
South Dakota.....	147	134	91.2	10	6.8	3	2.0
Utah.....	209	141	67.5	6	2.9	62	29.7
Vermont.....	267	248	92.9	3	1.1	16	6.0
Washington.....	1,014	902	89.0	14	1.4	98	9.7
Wisconsin.....	1,588	1,347	84.8	208	13.1	33	2.1
Wyoming.....	176	171	97.2	-	-	5	2.8

¹ Jury waived.² Statistics are for the year July 1, 1943, through June 30, 1944.³ Data not available.

Table 4 shows, for each of the 25 States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Montana, 73.7 percent of the defendants sentenced for major offenses received a prison sentence, whereas, at the other end of the scale, the figures for Pennsylvania showed only 18.7 percent of those convicted as sentenced to prison or death. This low figure reflects the fact that a considerable proportion of the defendants sentenced to confinement in Pennsylvania are sentenced to local jails or workhouses. Probation was used

most extensively in Rhode Island, where 69.7 percent were reported as being placed on probation or given a suspended sentence. Rhode Island law permits defendants to waive indictment by the grand jury and plead nolo contendere. Such defendants very frequently receive a deferred sentence. Probation was used next most extensively in New Hampshire where 46.5 percent of the convicted defendants received this treatment. Iowa reported the least use of this type of sentence, with 15.9 percent.

Table 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY STATES: 1943

STATE	Defendants convicted and sentenced	PRISON OR REFORMATORY		PROBATION OR SUSPENDED SENTENCE		LOCAL JAIL OR WORKHOUSE		OTHER SENTENCE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 25 States...	36,766	¹ 13,823	37.6	12,139	33.0	7,844	21.3	2,960	8.1
California.....	5,658	1,733	30.6	1,894	33.5	1,731	30.6	300	5.3
Colorado.....	844	551	65.3	234	27.7	38	4.5	21	2.5
Connecticut ²	849	294	34.6	258	30.4	276	32.5	21	2.5
District of Columbia.....	1,063	538	50.6	364	34.2	147	13.8	14	1.3
Idaho.....	181	83	45.9	59	32.6	30	16.6	9	5.0
Iowa.....	874	415	47.5	139	15.9	232	26.5	88	10.1
Kansas.....	650	445	68.5	118	18.2	75	11.5	12	1.8
Massachusetts.....	1,898	³ 1,078	56.8	517	27.2	-	-	303	16.0
Minnesota.....	826	406	49.2	330	40.0	64	7.7	26	3.1
Montana.....	186	137	73.7	34	18.3	2	1.1	13	7.0
New Hampshire.....	202	59	29.2	94	46.5	37	18.3	12	6.0
New Jersey.....	3,379	1,147	33.9	1,430	42.3	485	14.4	317	9.4
New Mexico.....	469	228	48.6	139	29.6	29	6.2	73	15.6
New York.....	5,076	2,133	42.0	1,755	34.6	1,027	20.2	161	3.2
North Dakota.....	202	89	44.1	46	22.8	52	25.7	15	7.4
Ohio.....	2,623	1,252	47.7	1,105	42.1	189	7.2	77	2.9
Oregon.....	487	251	51.5	182	37.4	35	7.2	19	3.9
Pennsylvania.....	7,621	1,423	18.7	2,122	27.8	2,995	39.3	1,081	14.2
Rhode Island.....	277	77	27.8	193	69.7	6	2.2	1	0.4
South Dakota.....	147	66	44.9	37	25.2	28	19.0	16	10.9
Utah.....	209	117	56.0	74	35.4	11	5.3	7	3.3
Vermont.....	267	84	31.5	76	28.5	37	13.9	70	26.2
Washington.....	1,014	560	55.2	276	27.2	149	14.7	29	2.9
Wisconsin.....	1,588	571	36.0	589	37.1	164	10.3	264	16.6
Wyoming.....	176	86	48.9	74	42.0	5	2.8	11	6.3

¹ Includes 66 death sentences.² Statistics are for the year July 1, 1943, through June 30, 1944.³ Includes defendants sentenced to local jail or workhouse, or to an institution for juvenile delinquents only.

Disposition and sentence, by offense.—In interpreting the data presented in tables 5 to 8, which show disposition and sentence by offense for the 25 States combined, it must be remembered that a few States account for most of the cases reported, and consequently, the figures shown in these tables reflect, in large part, the practices followed in these States in regard to both disposition and sentence. Five States—Pennsylvania, California, New York, New Jersey, and Ohio—account for about 68 percent of the cases covered, while the other 20 States account for the remainder.

Table 5 shows the number of defendants disposed of in the 25 States and those disposed of without conviction as well as those convicted in each offense group. Burglary and auto theft showed the highest proportions of convictions, whereas manslaughter and embezzlement and fraud showed the lowest proportions.

Table 5.—PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES, BY OFFENSE: 1943

OFFENSE	Defendants disposed of	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED	
		Number	Percent	Number	Percent
Total.....	48,719	11,953	24.5	36,766	75.5
Murder.....	677	200	29.5	477	70.5
Manslaughter.....	1,046	432	41.3	614	58.7
Robbery.....	3,688	1,125	30.5	2,563	69.5
Aggravated assault.....	4,713	1,720	36.5	2,993	63.5
Burglary.....	8,446	1,384	16.4	7,062	83.6
Larceny, except auto theft ¹	9,064	1,770	19.5	7,294	80.5
Auto theft.....	3,492	616	17.6	2,876	82.4
Embezzlement and fraud....	1,961	723	36.9	1,238	63.1
Stolen property, receiving, etc.....	1,150	371	32.3	779	67.7
Forgery and counterfeiting	2,825	542	19.2	2,283	80.8
Rape.....	2,379	775	32.6	1,604	67.4
Commercialized vice.....	763	211	27.7	552	72.3
Other sex offenses.....	4,646	1,114	24.0	3,532	76.0
Violating drug laws.....	711	161	22.6	550	77.4
Carrying, etc., weapons....	1,433	361	25.2	1,072	74.8
Other major offenses.....	1,725	443	26.0	1,277	74.0

¹ Includes embezzlement and fraud in Massachusetts.

Table 6 shows, by offense, the number and percent of defendants disposed of without conviction in the 25 States for each of the three types of non-conviction disposition. Defendants charged with forgery and counterfeiting showed the highest proportion of dispositions by dismissal and the lowest proportion of acquittals by jury. Defendants charged with murder showed the lowest proportion of dispositions by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in 24 States, by method of conviction. Forgery, auto theft, and burglary were the offense groups showing the highest proportions of convictions by pleas of guilty; and murder, manslaughter, and aggravated assault were those showing the lowest. Murder and manslaughter, however, showed the highest proportions of convictions by jury verdict.

Table 6.—DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1943

OFFENSE	Defendants disposed of without conviction	DISMISSED AND OTHER NO-PENALTY		ACQUITTED--			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total.....	11,953	8,496	71.1	1,081	9.0	2,376	19.9
Murder.....	200	85	42.5	8	4.0	107	53.5
Manslaughter.....	432	236	54.6	33	7.6	163	37.7
Robbery.....	1,125	681	60.5	131	11.6	313	27.8
Aggravated assault.....	1,720	1,087	63.2	198	11.5	435	25.3
Burglary.....	1,384	1,097	79.3	97	7.0	190	13.7
Larceny, except auto theft ²	1,770	1,367	77.2	130	7.3	273	15.4
Auto theft.....	616	518	84.1	44	7.1	54	8.8
Embezzlement and fraud.....	723	526	72.8	95	13.1	102	14.1
Stolen property, receiving, etc..	371	247	66.6	42	11.3	82	22.1
Forgery and counterfeiting.....	542	504	93.0	17	3.1	21	3.9
Rape.....	775	525	67.7	58	7.5	122	24.8
Commercialized vice.....	211	138	65.4	19	9.0	54	25.6
Other sex offenses.....	1,114	792	71.1	106	9.5	216	19.4
Violating drug laws.....	161	108	67.1	28	17.4	25	15.5
Carrying, etc., weapons.....	361	237	65.7	46	12.7	78	21.6
Other major offenses.....	448	348	77.7	29	6.5	71	15.8

¹ Jury waived.

² Includes embezzlement and fraud in Massachusetts.

Table 7.—DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY METHOD OF CONVICTION, BY OFFENSE: 1943

OFFENSE	Defendants convicted and sentenced	PLEADED GUILTY		FOUND GUILTY			
		Number	Percent	By court ¹		By jury	
				Number	Percent	Number	Percent
Total.....	231,690	26,027	82.1	2,436	7.7	3,227	10.2
Murder.....	401	161	40.1	46	11.5	194	48.4
Manslaughter.....	497	310	62.4	43	8.7	144	29.0
Robbery.....	2,188	1,593	72.8	173	7.9	422	19.3
Aggravated assault.....	2,559	1,679	65.6	338	13.2	542	21.2
Burglary.....	6,205	5,504	88.7	349	5.6	352	5.7
Larceny, except auto theft ³	5,566	4,782	85.9	466	8.4	318	5.7
Auto theft.....	2,416	2,173	89.9	127	5.3	116	4.8
Embezzlement and fraud.....	1,233	1,080	87.6	59	4.8	94	7.6
Stolen property, receiving, etc..	721	568	78.8	49	6.8	104	14.4
Forgery and counterfeiting.....	2,137	2,026	94.8	66	3.1	45	2.1
Rape.....	1,387	1,043	75.2	109	7.9	235	16.9
Commercialized vice.....	540	392	72.6	60	11.1	88	16.3
Other sex offenses.....	3,359	2,690	80.1	335	10.0	334	9.9
Violating drug laws.....	533	445	83.5	44	8.3	44	8.3
Carrying, etc., weapons.....	870	674	77.5	97	11.1	99	11.4
Other major offenses.....	1,078	907	84.1	75	7.0	96	8.9

¹ Jury waived.

² Excludes 5,076 defendants convicted in New York State.

³ Includes embezzlement and fraud in Massachusetts.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 25 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sentence. Of the 448 defendants shown in the table as receiving death or prison sentences for murder, 65 were given the death sentence.

Probation and suspended sentence were given most frequently to those defendants convicted of auto theft, receiving stolen property, and embezzlement and fraud. The offense groups showing the highest proportions of defendants sentenced to jail were those for violating drug laws and carrying weapons.

Table 8.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES, BY OFFENSE: 1943

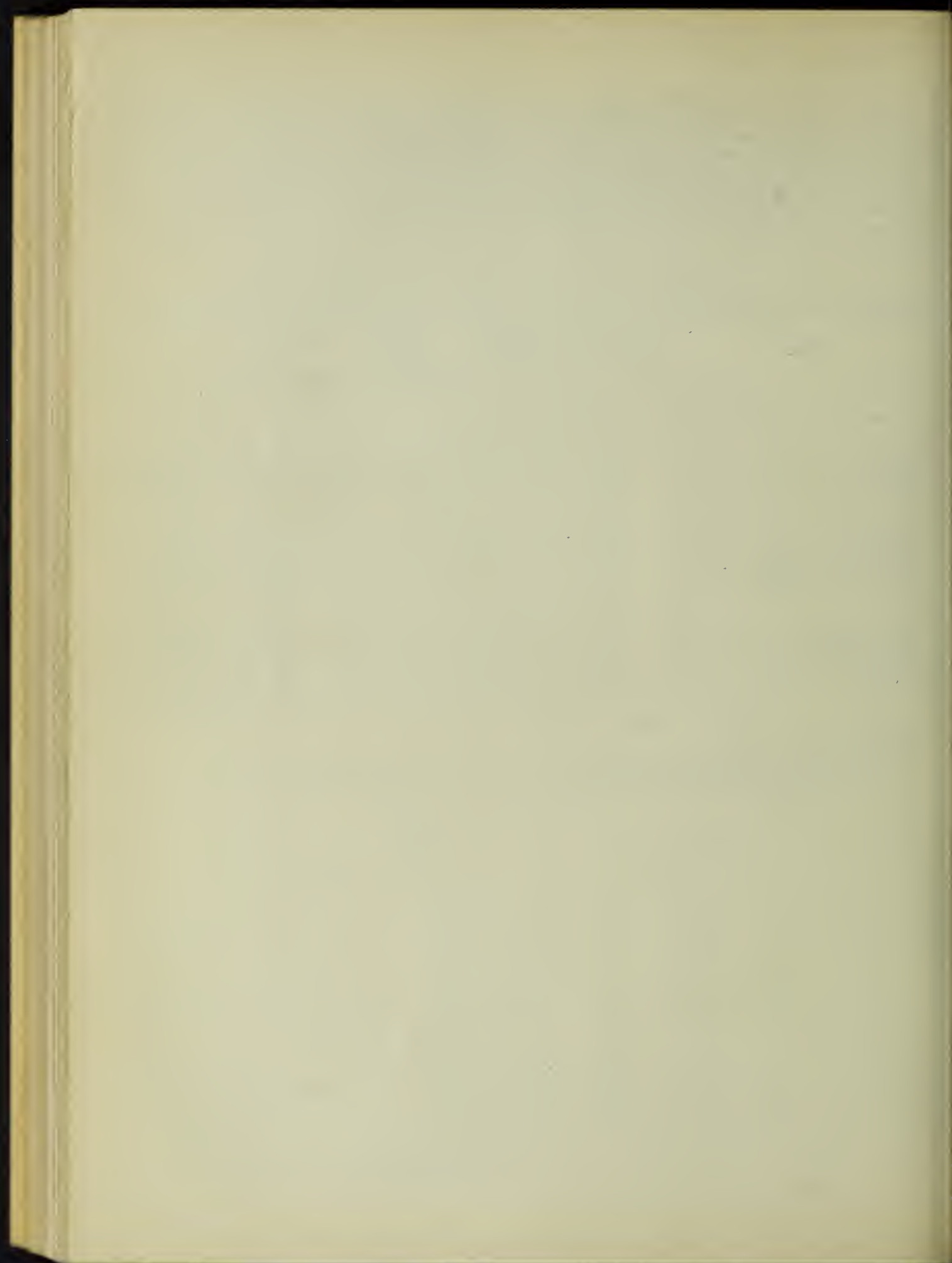
OFFENSE	Defendants convicted and sentenced	PRISON OR REFORMATORY		PROBATION OR SUSPENDED SENTENCE		LOCAL JAIL OR WORKHOUSE		OTHER SENTENCE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	36,766	13,823	37.6	12,139	33.0	7,844	21.3	2,960	8.1
Murder.....	477	² 448	93.9	5	1.0	17	3.6	7	1.5
Manslaughter.....	614	347	56.5	135	22.0	110	17.9	22	3.6
Robbery.....	2,563	1,746	68.1	465	18.1	283	11.0	69	2.7
Aggravated assault.....	2,993	828	27.7	903	30.2	1,018	34.0	244	8.2
Burglary.....	7,062	3,021	42.8	2,469	35.0	1,178	16.7	394	5.6
Larceny, except auto theft ³	7,294	2,144	29.4	2,899	39.7	1,627	22.3	624	8.6
Auto theft.....	2,876	948	33.0	1,258	43.7	511	17.8	159	5.5
Embezzlement and fraud.....	1,238	299	24.2	519	41.9	257	20.8	163	13.2
Stolen property, receiving, etc....	779	166	21.3	340	43.6	214	27.5	59	7.6
Forgery and counterfeiting.....	2,283	937	41.0	815	35.7	419	18.4	112	4.9
Rape.....	1,604	⁴ 849	52.9	412	25.7	266	16.6	77	4.8
Commercialized vice.....	552	147	26.6	137	24.8	141	25.5	127	23.0
Other sex offenses.....	2,532	1,055	29.9	1,009	28.6	855	24.2	613	17.4
Violating drug laws.....	550	129	23.5	49	8.9	342	62.2	30	5.5
Carrying, etc., weapons.....	1,072	152	14.2	376	35.1	425	39.6	119	11.1
Other major offenses.....	1,277	607	47.5	348	27.3	181	14.2	141	11.0

¹ Includes defendants sentenced to local jail or workhouse or to an institution for juvenile delinquents only in Massachusetts.

² Includes 65 death sentences.

³ Includes embezzlement and fraud in Massachusetts.

⁴ Includes 1 death sentence.



JUDICIAL CRIMINAL STATISTICS: 1943

CALIFORNIA

A total of 7,463 defendants were disposed of for major offenses in the superior courts of California during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 7,463 defendants, 5,658, or 75.8 percent, were convicted and sentenced; 1,894, or 33.5 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence, and 1,731, or 30.6 percent, were sentenced to a local jail or workhouse. Of the 4,449 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 3,465, or 77.9 percent, were convicted; and of the 1,358 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 920, or 67.7 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 124.1 in 1940 to 99.8 in 1943. The rate for defendants convicted followed the same general trend, decreasing from 99.4 in 1940 to 75.6 in 1943. More defendants were disposed of for burglary than for any other offense during 1943, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 27.5 percent of all major offense dispositions. (See table 1.)

During the past 4 years, 77.8 percent of all defendants disposed of for major offenses were convicted. The

percentage of defendants convicted decreased from 80.1 in 1940 to 75.8 in 1943. In 1943, 60.9 percent of all defendants entered a plea of guilty, whereas only 6.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 4 years, 34.0 percent were placed on probation or given a suspended sentence. The percentages for 1942 and 1943 were lower than this figure, and the percentage for 1941 was somewhat higher. Of all defendants convicted of major offenses during these 4 years, 31.3 percent were sentenced to a local jail or workhouse.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 3 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 4 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1.--DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1940 TO 1943

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 58 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 51 counties, 94.9 percent; 1942, 42 counties, 85.7 percent; 1941, 37 counties, 71.8; 1940, 29 counties, 68.5 percent. No reports were received for 1939)

OFFENSE	NUMBER				RATE PER 100,000 OF THE POPULATION			
	1943	1942	1941	1940	1943 ¹	1942 ¹	1941 ¹	1940 ²
DEFENDANTS DISPOSED OF								
Total.....	7,463	6,530	6,355	5,873	99.8	106.0	125.4	124.1
Murder.....	137	122	77	89	1.8	2.0	1.5	1.9
Manslaughter.....	103	124	199	158	1.4	2.0	3.9	3.3
Robbery.....	748	566	600	625	10.0	9.2	11.8	13.2
Aggravated assault.....	721	469	363	317	9.6	7.6	7.2	6.7
Burglary.....	1,180	1,101	1,202	1,222	15.8	17.9	23.7	25.8
Larceny, except auto theft.....	629	575	573	582	8.4	9.3	11.3	12.3
Auto theft.....	773	845	764	692	10.3	13.7	15.1	14.6
Embezzlement and fraud.....	134	205	210	331	1.8	3.3	4.1	7.0
Stolen property, receiving, etc.....	109	151	178	181	1.5	2.5	3.5	2.8
Forgery and counterfeiting.....	876	817	997	739	11.7	13.3	19.7	15.6
Rape.....	397	377	277	229	5.3	6.1	5.5	4.8
Other major offenses.....	1,656	1,178	915	758	22.1	19.1	18.1	16.0
DEFENDANTS CONVICTED								
Total.....	5,658	5,036	5,010	4,705	75.6	81.8	98.9	99.4
Murder.....	86	78	37	52	1.1	1.3	0.7	1.1
Manslaughter.....	74	78	118	93	1.0	1.3	2.3	2.0
Robbery.....	466	397	387	441	6.2	6.4	7.6	9.3
Aggravated assault.....	490	296	259	220	6.6	4.8	5.1	4.6
Burglary.....	961	893	998	1,040	12.8	14.5	19.7	22.0
Larceny, except auto theft.....	507	458	460	474	6.8	7.4	9.1	10.0
Auto theft.....	619	689	645	599	8.3	11.2	12.7	12.7
Embezzlement and fraud.....	94	170	180	287	1.3	2.8	3.6	6.0
Stolen property, receiving, etc.....	71	112	129	109	0.9	1.8	2.5	2.3
Forgery and counterfeiting.....	747	692	915	678	10.0	11.2	18.1	14.3
Rape.....	270	243	189	141	3.6	3.9	3.7	3.0
Other major offenses.....	1,273	930	693	571	17.0	15.1	13.7	12.1

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940 for counties reporting.

JUDICIAL CRIMINAL STATISTICS--CALIFORNIA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1940 TO 1943

(No reports were received for 1939)

PROCEDURAL OUTCOME	1943		1942		1941		1940	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	7,463	100.0	6,530	100.0	6,355	100.0	5,872	100.0
Disposed of without conviction.....	1,805	24.2	1,494	22.9	1,345	21.2	1,168	19.9
Dismissed.....	1,033	13.8	856	13.1	744	11.7	594	10.1
Acquitted by court (jury waived).....	325	4.4	260	4.0	244	3.8	240	4.1
Acquitted by jury.....	230	3.1	176	2.7	173	2.7	196	3.3
Other no-penalty disposition.....	217	2.9	202	3.1	184	2.9	138	2.3
Convicted and sentenced.....	5,658	75.8	5,036	77.1	5,010	78.8	4,705	79.9
Pleading guilty.....	4,545	60.9	4,188	64.1	4,220	66.4	3,985	67.8
Found guilty by court (jury waived).....	611	8.2	469	7.2	419	6.6	330	5.6
Found guilty by jury.....	502	6.7	379	5.8	371	5.8	390	6.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1940 TO 1943

(No reports were received for 1939)

SENTENCE	1943		1942		1941		1940	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced.....	5,658	100.0	5,036	100.0	5,010	100.0	4,705	100.0
Death penalty.....	6	0.1	9	0.2	5	0.1	10	0.2
Prison or reformatory.....	1,727	30.5	1,479	29.4	1,452	29.0	1,407	29.9
Probation or suspended sentence.....	1,894	33.5	1,620	32.2	1,816	36.2	1,600	33.9
Local jail or workhouse.....	1,731	30.6	1,614	32.0	1,519	30.3	1,526	32.4
Fine or costs only.....	137	2.4	114	2.3	56	1.1	43	0.9
Institution for juvenile delinquent only.....	130	2.3	155	3.1	115	2.3	115	2.4
Other sentence.....	33	0.6	45	0.9	47	0.9	4	0.1

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquent only
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	9,625	2,224	1,280	408	280	256	7,401	5,931	900	570	7,401	6	1,803	2,884	2,206	286	167
Major offense.....	7,463	1,805	1,033	325	230	217	5,658	4,545	611	502	5,658	6	1,727	1,894	1,731	137	130
Murder.....	137	51	13	5	28	5	86	22	6	58	86	6	76	1	-	-	-
Manslaughter.....	103	29	11	8	9	1	74	38	17	15	74	-	47	18	9	-	-
Robbery.....	748	282	144	71	43	24	466	331	52	83	466	-	294	104	38	1	29
Aggravated assault.....	721	231	122	63	30	16	490	310	111	69	490	-	109	92	255	27	6
Burglary.....	1,180	219	138	29	20	32	961	841	76	44	961	-	338	328	258	2	28
Larceny, except auto theft..	629	122	66	23	7	26	507	386	70	51	507	-	128	193	163	2	15
Auto theft.....	773	154	103	19	5	27	619	539	53	27	619	-	111	304	174	4	19
Embezzlement and fraud.....	134	40	23	14	3	-	94	83	4	7	94	-	20	46	26	-	2
Stolen property, receiving, etc.....	109	38	23	12	3	-	71	50	14	7	71	-	11	43	14	1	1
Forgery and counterfeiting..	876	129	96	5	7	21	747	712	21	14	747	-	220	315	194	3	10
Rape.....	397	127	66	25	23	13	270	192	38	40	270	-	79	117	64	3	5
Commercialized vice.....	13	2	2	-	-	-	11	6	2	3	11	-	7	-	4	-	-
Other sex offenses.....	634	170	93	14	29	34	464	365	64	35	464	-	95	222	134	8	5
Violating drug laws.....	464	106	58	20	15	13	358	301	38	19	358	-	59	8	285	3	2
Carrying, etc., weapons.....	139	28	20	5	2	1	111	92	16	3	111	-	19	8	69	15	-
Other major offenses.....	406	77	55	12	6	4	329	277	29	23	329	-	114	95	44	68	8
Abortion.....	22	7	5	2	-	-	15	4	2	9	15	-	5	9	-	-	1
Arson.....	36	8	5	2	1	-	28	22	4	2	28	-	6	12	5	5	-
Bigamy.....	35	7	4	3	-	-	28	26	2	-	28	-	2	24	2	-	-
Blackmail and extortion.....	11	6	3	-	3	-	5	4	1	-	5	-	3	1	-	1	-
Escape and jail break.....	253	25	21	2	-	2	228	208	17	3	228	-	84	38	37	62	7
Kidnaping.....	33	19	13	3	2	1	14	5	1	8	14	-	13	1	-	-	-
Perjury.....	16	5	4	-	-	1	11	8	2	1	11	-	1	10	-	-	-
Minor offenses ²	2,162	419	247	83	50	39	1,743	1,386	289	68	1,743	-	76	990	475	149	37

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors and are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

COLORADO

A total of 1,053 defendants were disposed of for major offenses in the district courts of Colorado during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,053 defendants, 844, or 80.2 percent, were convicted and sentenced; and 549, or 65.0 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 811 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 677, or 83.5 percent, were convicted; and of the 185 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 134, or 72.4 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 137.6 in 1939 to 102.7 in 1943, with a slight increase in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 107.5 in 1939 to 82.3 in 1943, with slight increases in 1941 and 1943. More defendants were disposed of for larceny than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 47.9 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 78.3 percent of all defendants disposed of for major crimes were convicted. In 1939, 78.1 percent of the defendants were convicted; in

1940, 79.4 percent; in 1941, 77.1 percent; in 1942, 77.0 percent; and in 1943, 80.2 percent. In 1943, 69.7 percent of all defendants entered a plea of guilty, whereas only 9.6 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 65.0 percent were sentenced to a State prison or reformatory. The percentages for 1939 and 1940 fell below this amount, while those for 1941 and 1942 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 28.6 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 63 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 58 counties, 96.1 percent; 1942, all counties, 100.0 percent; 1941, 59 counties, 99.1 percent; 1940, 59 counties, 99.2 percent; 1939, 61 counties, 99.8 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ²	1941 ³	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	1,053	1,145	1,345	1,327	1,528	102.7	105.1	123.2	119.1	137.6
Murder.....	22	30	20	32	34	2.1	2.8	1.8	2.9	3.1
Manslaughter.....	31	26	31	32	29	3.0	2.4	2.8	2.9	2.6
Robbery.....	71	79	112	88	102	6.9	7.3	10.3	7.9	9.2
Aggravated assault.....	51	49	56	41	45	5.0	4.5	5.1	3.7	4.1
Burglary.....	196	260	277	294	347	19.1	23.9	25.4	26.4	31.3
Larceny, except auto theft.....	308	293	354	332	418	30.0	26.9	32.4	29.8	37.6
Auto theft.....	46	58	49	71	70	4.5	5.3	4.5	6.4	6.3
Embezzlement and fraud.....	117	133	164	187	148	11.4	12.2	15.0	16.8	13.3
Stolen property, receiving, etc.....	34	18	47	29	34	3.3	1.7	4.3	2.6	3.1
Forgery and counterfeiting.....	39	47	91	90	127	3.8	4.3	8.3	8.1	11.4
Rape.....	81	68	71	76	101	7.9	6.2	6.5	6.8	9.1
Other major offenses.....	57	84	73	55	73	5.6	7.7	6.7	4.9	6.6
DEFENDANTS CONVICTED										
Total.....	844	882	1,037	1,054	1,194	82.3	81.0	95.0	94.6	107.5
Murder.....	16	22	14	13	17	1.6	2.0	1.3	1.2	1.5
Manslaughter.....	15	9	20	25	19	1.5	0.8	1.8	2.2	1.7
Robbery.....	63	56	97	79	88	6.1	5.1	8.9	7.1	7.9
Aggravated assault.....	40	30	35	23	27	3.9	2.8	3.2	2.1	2.4
Burglary.....	175	228	238	250	306	17.1	20.9	21.8	22.4	27.6
Larceny, except auto theft.....	251	243	275	265	329	24.5	22.3	25.2	23.8	29.6
Auto theft.....	39	48	40	60	58	3.8	4.4	3.7	5.4	5.2
Embezzlement and fraud.....	86	97	115	146	108	8.4	8.9	10.5	13.1	9.7
Stolen property, receiving, etc.....	29	11	32	24	33	2.8	1.0	2.9	2.2	3.0
Forgery and counterfeiting.....	34	37	78	83	109	3.3	3.4	7.1	7.4	9.8
Rape.....	63	47	43	48	50	6.1	4.3	3.9	4.3	4.5
Other major offenses.....	33	54	50	38	50	3.2	5.0	4.6	3.4	4.5

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on estimate of civilian population of the State.

³ Based on Population census of 1940 for counties reporting.

⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--COLORADO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,053	100.0	1,145	100.0	1,345	100.0	1,327	100.0	1,528	100.0
Disposed of without conviction.....	209	19.8	263	23.0	308	22.9	273	20.6	334	21.9
Dismissed.....	156	14.9	181	15.8	204	15.2	202	15.2	243	15.9
Acquitted by court (jury waived).....	2	0.2	-	-	7	0.5	5	0.4	1	0.1
Acquitted by jury.....	37	3.5	74	6.5	60	4.5	49	3.7	78	5.1
Other no-penalty disposition.....	14	1.3	8	0.7	37	2.9	17	1.3	12	0.8
Convicted and sentenced.....	844	80.2	882	77.0	1,037	77.1	1,054	79.4	1,194	78.1
Plead guilty.....	734	69.7	749	65.4	932	69.3	956	72.0	1,065	69.7
Found guilty by court (jury waived).....	9	0.9	13	1.1	2	0.1	10	0.8	9	0.6
Found guilty by jury.....	101	9.6	120	10.5	103	7.7	88	6.6	120	7.9

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	844	100.0	882	100.0	1,037	100.0	1,054	100.0	1,194	100.0
Death penalty.....	2	0.2	3	0.3	-	-	1	0.1	5	0.4
Prison or reformatory.....	549	65.0	577	65.4	733	70.7	627	59.5	772	64.7
Probation or suspended sentence.....	234	27.7	213	24.1	265	25.6	371	35.2	343	29.1
Local jail or workhouse.....	38	4.5	61	6.9	34	3.3	39	3.7	51	4.3
Fine or costs only.....	12	1.4	26	2.9	4	0.4	12	1.1	15	1.3
Institution for juvenile delinquents only..	5	0.6	2	0.2	1	0.1	4	0.4	3	0.3
Other sentence.....	4	0.5	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentences
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,183	252	198	2	37	15	931	805	16	110	931	2	573	272	47	23	8	6
Major offenses.....	1,053	209	156	2	37	14	844	734	9	101	844	2	549	234	38	12	5	4
Murder.....	22	6	-	-	4	2	16	6	-	10	16	2	13	-	1	-	-	-
Manslaughter.....	31	16	7	-	8	1	15	9	-	6	15	-	2	4	9	-	-	-
Robbery.....	71	8	5	-	3	-	63	55	-	8	63	-	60	3	-	-	-	-
Aggravated assault.....	51	11	8	-	-	3	40	27	-	13	40	-	22	8	9	1	-	-
Burglary.....	196	21	20	-	-	1	175	162	3	10	175	-	123	39	8	5	-	-
Larceny, except auto theft..	308	57	40	2	13	2	251	231	4	16	251	-	137	108	3	3	-	-
Auto theft.....	46	7	7	-	-	-	39	35	-	4	39	-	22	12	1	-	3	1
Embezzlement and fraud.....	117	31	27	-	2	2	86	72	-	14	86	-	54	28	1	2	-	1
Stolen property, receiving, etc.....	34	5	5	-	-	-	29	21	-	8	29	-	14	10	5	-	-	-
Forgery and counterfeiting..	39	5	5	-	-	-	34	34	-	-	34	-	29	3	1	1	-	-
Repe.....	81	18	15	-	1	2	63	55	2	6	63	-	50	11	-	-	2	-
Commercialized vice.....	14	14	11	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	24	5	4	-	-	1	19	17	-	2	19	-	17	1	-	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	1	1	-	-	-	2	2	-	-	2	-	-	2	-	-	-	-
Other major offenses.....	16	4	1	-	3	-	12	8	-	4	12	-	6	5	-	-	-	1
Abortion.....	5	2	1	-	1	-	3	-	-	3	3	-	1	2	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bigamy.....	3	-	-	-	-	-	3	3	-	-	3	-	2	1	-	-	-	-
Blackmail and extortion....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-
Escape and jail break.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	5	1	-	-	1	-	4	3	-	1	4	-	3	-	-	-	-	1
Perjury.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-
Minor offenses ²	130	43	42	-	-	1	87	71	7	9	87	-	24	38	9	11	3	2

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943-1944

CONNECTICUT

(Statistics are for the fiscal year ending June 30, 1944)

A total of 975 defendants were disposed of for major offenses in the superior and common pleas courts of Connecticut during the fiscal year ending June 30, 1944, according to reports received from the clerks of court the Bureau of the Census. Of these 975 defendants, 89, or 87.1 percent, were convicted and sentenced; and 2, or 31.4 percent, of the defendants convicted and sentenced were sent to a prison or reformatory. Of the 10 defendants disposed of for major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 400, or 88.5 percent, were convicted; and of the 138 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 109, or 79.0 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has ranged, during the past 5 years, from 48.7 in 1942-1943 to 56.4 in 1939-1940. The rate for defendants convicted of major offenses ranged from 43.3 in 1942-1943 to 49.9 in 1939-1940. More defendants were disposed of for burglary than for any other offense during the fiscal year ending June 30, 1944, with larceny following in second place, and the two offense groups together accounting for 31.4 percent of all major offense dispositions.

During the past 5 years, 87.7 percent of all defendants disposed of for major crimes were convicted. This percentage was 88.4 in 1939-1940, 86.6 in 1940-1941, 87.7 in 1941-1942, 88.8 in 1942-1943, and 87.1 in 1943-1944.

In 1943-1944, 78.2 percent of all defendants entered a plea of guilty, whereas only 1.6 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 33.8 percent were sentenced to a prison or reformatory and 33.8 percent were sent to a local jail or workhouse. Only 2.8 percent of all defendants convicted of major offenses during the past 5 years were fined or charged with costs only, while 28.9 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the fiscal year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the fiscal year ending in 1944 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in the year ending June 30, 1944, are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1940 TO 1944
Statistics shown by fiscal year and not calendar year. Thus, figures for "1943-1944" are for the fiscal year ending June 30, 1944

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943-1944 ¹	1942-1943 ¹	1941-1942 ¹	1940-1941 ²	1939-1940 ³	1943-1944 ¹	1942-1943 ¹	1941-1942 ¹	1940-1941 ²	1939-1940 ³
DEFENDANTS DISPOSED OF										
Total	975	860	959	901	954	55.8	48.7	55.0	52.7	56.4
Murder	11	13	10	9	3	0.6	0.7	0.6	0.5	0.2
Manslaughter	21	33	47	45	33	1.2	1.9	2.7	2.6	2.0
Robbery	66	69	73	66	91	3.8	3.9	4.2	3.9	5.4
Aggravated assault	30	36	40	25	38	1.7	2.0	2.3	1.5	2.2
Burglary	211	166	175	189	244	12.1	9.4	10.0	11.1	14.4
Larceny, exc. auto theft	95	67	94	86	82	5.4	3.8	5.4	5.0	4.9
Auto theft	69	41	97	82	71	3.9	2.3	5.6	4.8	4.2
Embezzlement and fraud	32	62	43	68	77	1.8	3.5	2.5	4.0	4.6
Stolen property, receiving, etc.	30	11	22	12	13	1.7	0.6	1.3	0.7	0.8
Forgery and counterfeiting	17	11	19	23	15	1.0	0.6	1.1	1.3	0.9
Other	76	60	65	83	60	4.3	3.4	4.9	4.9	3.6
For major offenses	317	291	254	213	227	18.1	16.5	14.6	12.5	13.4
DEFENDANTS CONVICTED										
Total	849	764	841	780	843	48.6	43.3	48.3	45.6	49.9
Murder	10	12	10	8	3	0.6	0.7	0.6	0.5	0.2
Manslaughter	14	27	36	28	20	0.8	1.5	2.1	1.6	1.2
Robbery	55	57	62	58	82	3.1	3.2	3.6	3.4	4.9
Aggravated assault	22	32	38	21	36	1.3	1.8	2.2	1.2	2.1
Burglary	195	155	165	172	227	11.2	8.8	9.5	10.1	13.4
Larceny, exc. auto theft	82	52	77	74	70	4.7	2.9	4.4	4.3	4.1
Auto theft	59	40	87	78	68	3.4	2.3	5.0	4.6	4.0
Embezzlement and fraud	30	56	36	60	68	1.7	3.2	2.1	3.5	4.0
Stolen property, receiving, etc.	28	10	17	10	13	1.3	0.6	1.0	0.6	0.8
Forgery and counterfeiting	16	11	18	21	14	0.9	0.6	1.0	1.2	0.8
Other	68	46	79	64	51	3.6	2.6	4.5	3.7	3.0
For major offenses	280	266	216	186	191	16.0	15.1	12.4	10.9	11.3

¹ Based on estimate of civilian population of the State. Rates for 1941-1942 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--CONNECTICUT

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1940 TO 1944

[Statistics shown are for fiscal years. See headnote on table 1]

PROCEDURAL OUTCOME	1943-1944		1942-1943		1941-1942		1940-1941		1939-1940	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	975	100.0	860	100.0	959	100.0	901	100.0	954	100.0
Disposed of without conviction.....	126	12.9	96	11.2	118	12.3	121	13.4	111	11.7
Dismissed.....	99	10.2	71	8.3	96	10.0	90	10.1	91	9.5
Acquitted by court (jury waived).....	11	1.1	18	2.1	10	1.0	12	1.3	21	2.2
Acquitted by jury.....	10	1.0	4	0.5	7	0.7	4	0.4	5	0.5
Other no-penalty disposition.....	6	0.6	8	0.9	5	0.5	15	1.7	4	0.4
Convicted and sentenced.....	849	87.1	764	88.8	841	87.7	780	86.6	843	88.4
Pleaded guilty.....	762	78.2	680	79.1	786	82.0	721	80.0	755	79.1
Found guilty by court (jury waived).....	71	7.3	69	8.0	40	4.2	42	4.7	54	5.7
Found guilty by jury.....	16	1.6	15	1.7	15	1.6	17	1.9	34	3.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1940 TO 1944

[Statistics shown are for fiscal years. See headnote on table 1]

SENTENCE	1943-1944		1942-1943		1941-1942		1940-1941		1939-1940	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	849	100.0	764	100.0	841	100.0	780	100.0	843	100.0
Death penalty.....	2	0.2	4	0.5	1	0.1	-	-	-	-
Prison or reformatory.....	292	34.4	256	33.5	238	28.2	230	29.5	313	37.1
Probation or suspended sentence.....	258	30.4	207	27.1	231	27.5	250	32.1	233	27.6
Local jail or workhouse.....	276	32.5	271	35.5	295	35.1	265	34.0	271	32.1
Fine or costs only.....	14	1.6	24	3.1	26	3.1	26	3.3	26	3.1
Institution for juvenile delinquents only..	7	0.8	2	0.3	-	-	9	1.2	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943-1944

[Statistics shown are for fiscal year. See headnote on table 1]

OFFENSE	PROCEDURAL OUTCOME FOR ALL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,603	319	255	38	17	9	1,284	1,112	140	32	1,284	2	296	394	393	191	7	1
Major offenses.....	975	126	99	11	10	6	849	762	71	16	849	2	292	258	276	14	7	-
Murder.....	11	1	-	-	-	1	10	7	1	2	10	2	8	-	-	-	-	-
Manslaughter.....	21	7	4	2	1	-	14	13	1	-	14	-	6	3	4	1	-	-
Robbery.....	66	11	10	1	-	-	55	43	10	2	55	-	38	7	9	1	-	-
Aggravated assault.....	30	8	3	1	2	2	22	18	3	1	22	-	8	7	7	-	-	-
Burglary.....	211	16	13	1	-	2	195	189	4	2	195	-	80	55	59	-	1	-
Larceny, except auto theft..	95	13	12	-	1	-	82	75	7	-	82	-	14	27	37	4	-	-
Auto theft.....	69	10	10	-	-	-	59	55	4	-	59	-	17	28	14	-	-	-
Embezzlement and fraud.....	32	2	1	1	-	-	30	28	1	1	30	-	5	5	20	-	-	-
Stolen property, receiving, etc.....	30	7	4	1	2	-	23	20	-	3	23	-	6	9	8	-	-	-
Forgery and counterfeiting..	17	1	-	-	-	1	16	16	-	-	16	-	3	6	7	-	-	-
Rape.....	76	13	11	1	1	-	63	51	10	2	63	-	29	19	14	1	-	-
Commercialized vice.....	7	2	2	-	-	-	5	5	-	-	5	-	5	-	-	-	-	-
Other sex offenses.....	250	31	25	3	3	-	219	188	28	3	219	-	52	73	82	6	6	-
Violating drug laws.....	5	-	-	-	-	-	5	5	-	-	5	-	3	-	2	-	-	-
Carrying, etc., weapons.....	5	2	2	-	-	-	3	3	-	-	3	-	-	2	-	1	-	-
Other major offenses.....	50	2	2	-	-	-	48	46	2	-	48	-	18	17	13	-	-	-
Abortion.....	4	-	-	-	-	-	4	4	-	-	4	-	3	1	-	-	-	-
Arson.....	5	1	1	-	-	-	4	4	-	-	4	-	1	3	-	-	-	-
Bigamy.....	20	1	1	-	-	-	19	19	-	-	19	-	1	9	9	-	-	-
Blackmail and extortion....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-
Escape and jail break.....	15	-	-	-	-	-	15	15	-	-	15	-	12	1	2	-	-	-
Kidnaping.....	2	-	-	-	-	-	2	1	1	-	2	-	1	-	1	-	-	-
Perjury.....	3	-	-	-	-	-	3	2	1	-	3	-	-	2	1	-	-	-
Minor offenses ²	628	193	156	27	7	3	435	350	69	16	435	-	4	136	117	177	-	1

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

DISTRICT OF COLUMBIA

A total of 1,498 defendants were charged with major offenses and disposed of in the District Court of the District of Columbia during the calendar year 1943, according to reports received by the Bureau of the Census from the Administrative Office of the United States Courts. Of these 1,498 defendants, 1,063, or 71.0 percent, were convicted and sentenced; 537, or 50.5 percent, of the defendants convicted and sentenced were sent to a reformatory, and 364, or 34.2 percent, were placed on probation or given a suspended sentence. Of the 1,051 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 764, or 72.7 percent, were convicted; and of the 10 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 4, or 65.9 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 110.0 in 1939 to 202.2 in 1940, and in 1941, increased to 222.0. Even though the totals for 1942 and 1943 include some defendants charged with major offenses, but convicted of minor offenses, the rate dropped to 190.4 in 1942, and to 183.4 in 1943. The rate for defendants convicted showed a continuous decline from 174.0 in 1939 to 130.1 in 1943. Among the defendants charged with major offenses and disposed of in 1943, there were more defendants charged with robbery than with any other offense, with burglary following in second place, and the two offense groups together accounting for 33.2 percent of the total. (See table 1.)

During the 3 years prior to 1942, 74.9 percent of all defendants disposed of for major offenses were convicted.

In 1942, 75.9 percent of all defendants charged with major offenses were convicted, and in 1943, 71.0 percent. In 1943, 54.7 percent of all defendants charged with major offenses entered a plea of guilty and 15.6 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the 3 years prior to 1942, 61.5 percent were sentenced to a reformatory, and 10.3 percent were sentenced to a local jail or workhouse. The corresponding percentages for defendants charged with major offenses and disposed of in the 2 years 1942 and 1943 were 54.8 and 15.1.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. For the years 1942 and 1943, a defendant charged with more than one offense was assigned to the most serious offense of which charged. For the years 1939 to 1941, a defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943.

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943 ¹	1942 ¹	1941	1940	1939	1943 ²	1942 ²	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	1,498	1,564	1,645	1,341	1,520	183.4	190.4	222.0	202.2	231.0
Murder.....	46	28	21	15	16	5.6	3.4	2.8	2.3	2.4
Manslaughter.....	20	20	42	21	33	2.4	2.4	5.7	3.2	5.0
Robbery.....	249	264	262	209	261	30.5	32.1	35.4	31.5	39.7
Aggravated assault.....	232	274	219	139	143	28.4	33.4	29.6	21.0	21.7
Burglary.....	248	239	287	339	300	30.4	29.1	38.7	51.1	45.6
Larceny, except auto theft.....	208	216	201	145	171	25.5	26.8	27.1	21.9	26.0
Auto theft.....	148	219	271	173	155	18.1	26.7	36.6	26.1	23.6
Embezzlement and fraud.....	92	94	97	65	113	11.3	11.4	13.1	9.8	17.2
Stolen property, receiving, etc.....	49	26	36	44	45	6.0	3.2	4.9	6.6	6.8
Forgery and counterfeiting.....	57	73	87	68	81	7.0	8.9	11.7	10.3	12.3
Other major offenses.....	42	46	59	28	28	5.1	5.6	8.0	4.2	4.3
	107	65	63	95	174	13.1	7.9	8.5	14.3	26.4
DEFENDANTS CONVICTED										
Total.....	1,063	1,187	1,144	1,088	1,145	130.1	144.5	154.4	164.1	174.0
Murder.....	34	26	13	9	8	4.2	3.2	1.8	1.4	1.2
Manslaughter.....	10	12	26	15	27	1.2	1.5	3.5	2.3	4.1
Robbery.....	170	190	147	160	199	20.8	23.1	19.8	24.1	30.2
Aggravated assault.....	155	186	131	101	99	19.0	22.6	17.7	15.2	15.0
Burglary.....	200	202	226	309	261	24.5	24.6	30.5	46.6	39.7
Larceny, except auto theft.....	146	165	162	123	144	17.9	20.1	21.9	18.5	21.9
Auto theft.....	109	175	231	147	117	13.3	21.3	31.2	22.2	17.8
Embezzlement and fraud.....	66	74	49	48	49	8.1	9.0	6.6	7.2	7.4
Stolen property, receiving, etc.....	20	20	24	26	23	2.4	2.4	3.2	3.9	3.5
Forgery and counterfeiting.....	53	66	74	59	71	6.5	8.0	10.0	8.9	10.8
Other major offenses.....	25	24	25	21	18	3.1	2.9	3.4	3.2	2.7
	75	47	36	70	129	9.2	5.7	4.9	10.6	19.6

¹ Includes defendants charged with major offenses but convicted of minor offenses.

² Based on estimate of civilian population of the District of Columbia. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population of the District of Columbia.

JUDICIAL CRIMINAL STATISTICS--DISTRICT OF COLUMBIA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943 ¹		1942 ¹		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,498	100.0	1,564	100.0	1,645	100.0	1,341	100.0	1,520	100.0
Disposed of without conviction.....	435	29.0	377	24.1	501	30.5	258	18.9	375	24.7
Dismissed.....	297	19.8	242	15.5	234	17.3	162	12.1	250	16.4
Acquitted by court (jury waived).....	-	-	1	0.1	34	2.1	35	2.6	3	0.2
Acquitted by jury.....	138	9.2	134	8.6	173	10.5	52	3.9	107	7.0
Other no-penalty disposition.....	-	-	-	-	10	0.6	4	0.3	15	1.0
Convicted and sentenced.....	1,063	71.0	1,187	75.9	1,144	69.5	1,088	81.1	1,145	75.3
Pleaded guilty.....	820	54.7	905	57.9	892	54.2	914	68.2	955	62.8
Found guilty by court (jury waived).....	9	0.6	-	-	8	0.5	2	0.1	1	0.1
Found guilty by jury.....	234	15.6	282	18.0	244	14.8	172	12.8	189	12.4

¹ Includes defendants charged with major offenses but convicted of minor offenses.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943 ¹		1942 ¹		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,063	100.0	1,187	100.0	1,144	100.0	1,088	100.0	1,145	100.0
Death penalty.....	1	0.1	-	-	6	0.5	1	0.1	1	0.1
Prison or reformatory.....	537	50.5	697	58.7	702	61.4	679	62.4	697	60.9
Probation or suspended sentence.....	364	34.2	292	24.6	293	25.6	297	27.3	338	29.5
Local jail or workhouse.....	147	13.8	193	16.3	137	12.0	108	9.9	104	9.1
Fine or costs only.....	14	1.3	5	0.4	6	0.5	3	0.3	5	0.4
Institution for juvenile delinquent only..	-	-	-	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

¹ Includes defendants charged with major offenses but convicted of minor offenses.

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

(Defendants classified by offense charged)

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹									By jury
All offenses.....	1,899	573	420	-	153	-	1,326	1,073	11	242	1,326	1	586	501	194	44	-	-
Major offenses.....	1,498	435	297	-	138	-	1,063	820	9	234	1,063	1	537	364	147	14	-	-
Murder.....	46	12	6	-	6	-	34	20	-	14	34	1	32	-	1	-	-	-
Manslaughter.....	20	10	1	-	9	-	10	4	-	6	10	-	5	-	4	1	-	-
Robbery.....	249	79	47	-	32	-	170	109	1	60	170	-	117	30	23	-	-	-
Aggravated assault.....	232	77	53	-	24	-	155	101	2	52	155	-	54	71	30	-	-	-
Burglary.....	248	48	31	-	17	-	200	174	2	24	200	-	123	48	29	-	-	-
Larceny, except auto theft..	208	62	46	-	16	-	146	123	1	22	146	-	59	69	18	-	-	-
Auto theft.....	148	39	31	-	8	-	109	92	1	16	109	-	38	52	19	-	-	-
Embezzlement and fraud.....	92	26	21	-	5	-	66	62	-	4	66	-	17	30	6	13	-	-
Stolen property, receiving, etc.....	49	29	21	-	8	-	20	18	-	2	20	-	3	14	3	-	-	-
Forgery and counterfeiting..	57	4	3	-	1	-	53	48	-	5	53	-	29	22	2	-	-	-
Rape.....	42	17	12	-	5	-	25	14	-	11	25	-	16	3	6	-	-	-
Commercialized vice.....	16	6	6	-	-	-	10	6	-	4	10	-	9	-	1	-	-	-
Other sex offenses.....	16	3	2	-	1	-	13	7	2	4	13	-	5	8	-	-	-	-
Violating drug laws.....	43	16	14	-	2	-	27	21	-	6	27	-	22	5	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	32	7	3	-	4	-	25	21	-	4	25	-	8	12	5	-	-	-
Abortion.....	3	-	-	-	-	-	3	1	-	2	3	-	3	-	-	-	-	-
Arson.....	4	3	1	-	2	-	1	1	-	-	1	-	-	1	-	-	-	-
Sigamy.....	9	1	-	-	1	-	8	7	-	1	8	-	2	6	-	-	-	-
Blackmail and extortion....	6	2	2	-	-	-	4	4	-	-	4	-	1	3	-	-	-	-
Escape and jail break.....	8	-	-	-	-	-	8	7	-	1	8	-	2	1	5	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	1	-	-	1	-	1	1	-	-	1	-	-	1	-	-	-	-
Minor offenses ²	401	133	123	-	15	-	263	253	2	8	263	-	48	137	47	30	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

IDAHO

A total of 241 defendants were disposed of for major offenses in the district courts of Idaho during the calendar year 1943, according to reports received from the clerk of court by the Bureau of the Census. Of these defendants, 181, or 75.1 percent, were convicted and sentenced; and 83, or 45.9 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 184 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 142, or 77.2 percent, were convicted; and of the 32 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 25 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 111.1 in 1939 to 55.4 in 1943. The rate for defendants convicted followed the same general trend, decreasing from 98.8 in 1939 to 41.6 in 1943. More defendants were disposed of for forgery and counterfeiting than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 47.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 80.1 percent of all defendants disposed of for major crimes were convicted. In 1939, 85.9 percent of the defendants were convicted; in 1940, 82.1 percent; in 1941, 79.2 percent; in 1942, 70.4 percent; and in 1943, 75.1 percent. In 1943, 63.1

percent of all defendants entered a plea of guilty, whereas only 5.4 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 54.2 percent were sentenced to a State prison or reformatory. The percentages for 1940, 1941, and 1943 fell below this amount, while those for 1939 and 1942 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 26.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1.--DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 44 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 39 counties, 92.0 percent; 1942, 42 counties, 97.1 percent; 1941, 1940, and 1939, all counties, 100.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	241	311	428	576	594	55.4	67.2	86.3	109.7	115.1
murder.....	5	10	6	9	11	1.1	2.2	1.2	1.7	2.1
manslaughter.....	3	7	12	15	14	0.7	1.5	2.4	2.9	2.7
robbery.....	9	24	17	32	17	2.1	5.2	3.4	6.1	3.3
aggravated assault.....	8	15	14	26	22	1.8	3.2	2.8	5.0	4.3
larceny.....	55	69	113	155	171	12.6	14.9	22.8	29.5	33.1
larceny, except auto theft.....	34	42	61	83	110	7.8	9.1	12.3	15.8	21.3
auto theft.....	13	11	25	9	5	3.0	2.4	5.0	1.7	1.0
embezzlement and fraud.....	4	8	19	21	15	0.9	1.7	3.8	4.0	2.9
stolen property, receiving, etc.....	9	1	9	9	16	2.1	0.2	1.8	1.7	3.1
forgery and counterfeiting.....	60	85	108	154	152	13.8	18.4	21.8	29.3	29.5
other major offenses.....	16	13	16	33	23	3.7	2.8	3.2	6.3	4.5
Total.....	25	26	28	30	38	5.7	5.6	5.6	5.7	7.4
DEFENDANTS CONVICTED										
Total.....	181	219	339	473	510	41.6	47.3	68.3	90.1	98.8
murder.....	4	5	6	8	7	0.9	1.1	1.2	1.5	1.4
manslaughter.....	3	6	8	8	11	0.7	1.3	1.6	1.5	2.1
robbery.....	6	17	15	30	14	1.4	3.7	3.0	5.7	2.7
aggravated assault.....	6	8	9	18	17	1.4	1.7	1.8	3.4	3.3
larceny.....	45	55	95	134	157	10.3	11.9	19.1	25.5	30.4
larceny, except auto theft.....	26	27	49	73	97	6.0	5.8	9.9	13.9	18.8
auto theft.....	5	6	17	7	4	1.1	1.3	3.4	1.3	0.8
embezzlement and fraud.....	4	7	12	13	11	0.9	1.5	2.4	2.5	2.1
stolen property, receiving, etc.....	6	1	7	8	9	1.4	0.2	1.4	1.5	1.7
forgery and counterfeiting.....	50	65	89	130	138	11.5	14.0	17.9	24.8	26.7
other major offenses.....	12	8	9	24	16	2.8	1.7	1.8	4.6	3.1
Total.....	14	14	23	20	29	3.2	3.0	4.6	3.8	5.6

Based on estimate of civilian population for counties reporting.

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--IDAHO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	241	100.0	311	100.0	428	100.0	576	100.0	594	100.0
Disposed of without conviction.....	60	24.9	92	29.6	89	20.8	103	17.9	84	14.1
Dismissed.....	54	22.4	66	21.2	72	16.8	83	14.4	61	10.3
Acquitted by court (jury waived).....	-	-	2	0.6	-	-	-	-	-	-
Acquitted by jury.....	4	1.7	13	4.2	8	1.9	16	2.8	16	2.7
Other non-penalty disposition.....	2	0.8	11	3.5	9	2.1	4	0.7	7	1.2
Convicted and sentenced.....	181	75.1	219	70.4	339	79.2	473	82.1	510	85.9
Pleaded guilty.....	152	63.1	195	62.7	296	69.2	413	71.7	475	80.0
Found guilty by court (jury waived).....	16	6.6	5	1.6	3	0.7	16	2.8	5	0.8
Found guilty by jury.....	13	5.4	19	6.1	40	9.3	44	7.6	30	5.1

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	181	100.0	219	100.0	339	100.0	473	100.0	510	100.0
Death penalty.....	-	-	-	-	-	-	1	0.2	-	-
Prison or reformatory.....	83	45.9	135	61.6	179	52.8	245	51.8	292	57.3
Probation or suspended sentence.....	59	32.6	48	21.9	81	23.9	132	27.9	139	27.3
Local jail or workhouse.....	30	16.6	30	13.7	67	19.8	83	17.5	76	14.9
Fine or costs only.....	4	2.2	2	0.9	3	0.9	1	0.2	1	0.2
Institution for juvenile delinquents only..	5	2.8	3	1.4	8	2.4	11	2.3	2	0.4
Other sentence.....	-	-	1	0.5	1	0.3	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS											SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offensee.....	276	69	62	-	4	3	207	176	16	15	207	-	86	64	85	17	5	-	
Major offenses.....	241	60	54	-	4	2	181	152	16	13	181	-	83	59	30	4	5	-	
Murder.....	5	1	-	-	1	-	4	1	1	2	4	-	4	-	-	-	-	-	
Manslaughter.....	3	-	-	-	-	-	3	2	-	1	3	-	1	2	-	-	-	-	
Robbery.....	9	3	3	-	-	-	6	4	2	-	6	-	6	-	-	-	-	-	
Aggravated assault.....	8	2	2	-	-	-	6	4	1	1	6	-	3	2	1	-	-	-	
Burglary.....	55	10	10	-	-	-	45	38	4	3	45	-	21	15	5	-	4	-	
Larceny, except auto theft..	34	8	8	-	-	-	26	24	1	1	26	-	10	9	5	2	-	-	
Auto theft.....	13	8	7	-	-	1	5	5	-	-	5	-	1	2	2	-	-	-	
Embezzlement and fraud.....	4	-	-	-	-	-	4	4	-	-	4	-	3	1	-	-	-	-	
Stolen property, receiving, etc.....	9	3	2	-	1	-	6	5	1	-	6	-	2	3	-	1	-	-	
Forgery and counterfeiting..	60	10	9	-	1	-	50	45	3	2	50	-	23	16	10	-	1	-	
Rape.....	16	4	4	-	-	-	12	7	3	2	12	-	8	3	1	-	-	-	
Commercialized vice.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offense.....	13	3	3	-	-	-	10	9	-	1	10	-	-	5	4	1	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	8	4	3	-	-	1	4	4	-	-	4	-	1	1	2	-	-	-	
Other major offenses.....	3	3	2	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	3	3	2	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	85	9	8	-	-	1	26	24	-	2	26	-	3	5	5	13	-	-	

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

IOWA

A total of 1,201 defendants were disposed of for major offenses in the district courts of Iowa during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,201 defendants, 874, or 72.8 percent, were convicted and sentenced; and 414, or 47.4 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 811 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 604, or 74.5 percent, were convicted; and of the 119 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 72, or 60.5 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 92.5 in 1939 to 52.7 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 71.4 in 1939 to 38.4 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 38.7 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 76.4 percent of all defendants disposed of for major crimes were convicted. In 1939, 77.2 percent of the defendants were convicted; in 1940, 77.3 percent; in 1941, 77.7 percent; in 1942,

75.4 percent; and in 1943, 72.8 percent. In 1943, 65.9 percent of all defendants entered a plea of guilty, whereas only 3.1 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 42.5 percent were sentenced to a State prison or reformatory. The percentage for 1939, 1940, and 1941 fell below this figure, and the percentages for 1942 and 1943 were somewhat higher. Only 18.0 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
Statistics for all years except 1939 based on reports for all of the 99 counties of the State. Statistics for 1939 based on reports from 85 counties which contain 80.6 percent of the 1940 population of the State]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	1,201	1,486	1,890	2,195	1,875	52.7	60.8	76.2	86.5	92.5
Murder.....	11	16	19	17	15	0.5	0.7	0.8	0.7	0.7
Manslaughter.....	19	12	22	20	20	0.8	0.5	0.9	0.8	1.0
Robbery.....	29	41	66	67	63	1.3	1.7	2.7	2.6	3.1
Aggravated assault.....	52	51	81	69	85	2.3	2.1	3.3	2.7	4.2
Burglary.....	115	169	229	300	254	5.1	6.9	9.2	11.8	12.5
Larceny, except auto theft.....	296	412	567	588	482	13.0	16.9	22.8	23.2	23.8
Auto theft.....	81	105	119	161	142	3.6	4.3	4.8	6.3	7.0
Embezzlement and fraud.....	107	101	164	233	232	4.7	4.1	6.6	9.2	11.4
Stolen property, receiving, etc.....	14	22	24	38	22	0.6	0.9	1.0	1.3	1.1
Forgery and counterfeiting.....	169	269	289	311	240	7.4	11.0	11.6	12.3	11.8
Rape.....	37	50	36	48	53	1.6	2.0	1.5	1.9	2.6
Other major offenses.....	271	238	274	348	267	11.9	9.7	11.0	13.7	13.2
DEFENDANTS CONVICTED										
Total.....	874	1,120	1,469	1,697	1,448	38.4	45.0	59.2	66.9	71.4
Murder.....	8	10	16	13	10	0.4	0.4	0.6	0.5	0.5
Manslaughter.....	8	6	15	10	13	0.4	0.2	0.6	0.4	0.6
Robbery.....	20	29	52	51	39	0.9	1.2	2.1	2.0	1.9
Aggravated assault.....	36	37	56	52	60	1.6	1.5	2.3	2.0	3.0
Burglary.....	93	131	183	232	224	4.1	5.4	7.4	9.1	11.1
Larceny, except auto theft.....	242	341	484	513	417	10.6	13.9	19.5	20.2	20.6
Auto theft.....	58	80	98	126	124	2.5	3.3	3.9	5.0	6.1
Embezzlement and fraud.....	50	67	104	145	124	2.2	2.7	4.2	5.7	6.1
Stolen property, receiving, etc.....	8	17	19	25	16	0.4	0.7	0.8	1.0	0.8
Forgery and counterfeiting.....	133	196	230	244	193	5.8	8.0	9.3	9.6	9.5
Rape.....	20	24	21	34	36	0.9	1.0	0.8	1.3	1.8
Other major offenses.....	198	182	191	252	192	8.7	7.4	7.7	9.9	9.5

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--IOWA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,201	100.0	1,486	100.0	1,890	100.0	2,195	100.0	1,875	100.0
Disposed of without conviction.....	327	27.2	366	24.6	421	22.3	498	22.7	427	22.8
Dismissed.....	214	17.8	320	21.5	359	19.0	439	20.0	359	19.1
Acquitted by court (jury waived).....	71	5.9	5	0.3	3	0.2	3	0.1	14	0.7
Acquitted by jury.....	23	1.9	26	1.7	45	2.4	46	2.1	41	2.2
Other no-penalty disposition.....	19	1.6	15	1.0	14	0.7	10	0.5	13	0.7
Convicted and sentenced.....	874	72.8	1,120	75.4	1,469	77.7	1,697	77.3	1,448	77.2
Plead guilty.....	792	65.9	1,076	72.4	1,399	74.0	1,627	74.1	1,273	73.2
Found guilty by court (jury waived).....	45	3.7	16	1.1	22	1.2	19	0.9	20	1.1
Found guilty by jury.....	37	3.1	28	1.9	48	2.5	51	2.3	55	2.9

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	874	100.0	1,120	100.0	1,469	100.0	1,697	100.0	1,448	100.0
Death penalty.....	1	0.1	-	-	-	-	1	0.1	-	-
Prison or reformatory.....	414	47.4	487	43.5	612	41.7	697	41.1	599	41.4
Probation or suspended sentences.....	139	15.9	193	17.2	266	18.1	303	17.9	290	20.0
Local jail or workhouse.....	232	26.5	368	32.9	499	34.0	585	34.5	470	32.5
Fine or costs only.....	79	9.0	63	5.6	68	4.6	91	5.4	73	5.0
Institution for juvenile delinquents only..	9	1.0	7	0.6	20	1.4	20	1.2	16	1.1
Other sentence.....	-	-	2	0.2	4	0.3	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentences	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	3,002	753	434	244	39	36	2,249	2,059	138	52	2,249	1	473	295	438	1,024	17	1
Major offenses.....	1,201	327	214	71	23	19	874	792	45	37	874	1	414	139	232	79	9	-
Murder.....	11	3	2	-	1	-	8	5	-	3	8	1	7	-	-	-	-	-
Manslaughter.....	19	11	5	2	4	-	8	5	-	3	8	-	6	2	-	-	-	-
Robbery.....	29	9	4	4	-	1	20	20	-	-	20	-	15	3	1	1	-	-
Aggravated assault.....	52	16	13	1	1	1	36	30	3	3	36	-	12	4	15	5	-	-
Burglary.....	115	22	17	5	-	-	93	85	5	3	93	-	47	12	22	6	6	-
Larceny, except auto theft..	296	54	35	7	5	7	242	224	9	9	242	-	77	59	92	12	2	-
Auto theft.....	81	23	12	10	-	1	58	54	3	1	58	-	35	11	9	3	-	-
Embezzlement and fraud.....	107	57	31	25	1	-	50	49	-	1	50	-	14	11	7	18	-	-
Stolen property, receiving, etc.....	14	6	1	5	-	-	8	8	-	-	8	-	4	1	2	1	-	-
Forgery and counterfeiting..	169	36	32	2	-	2	133	128	5	-	133	-	57	23	35	17	1	-
Rape.....	37	17	10	1	5	1	20	17	-	3	20	-	17	-	3	-	-	-
Commercialized vice.....	11	3	3	-	-	-	8	6	-	2	8	-	8	-	-	-	-	-
Other sex offenses.....	181	60	44	7	5	4	121	113	1	7	121	-	65	7	40	9	-	-
Violating drug laws.....	4	2	-	2	-	-	2	2	-	-	2	-	1	-	-	1	-	-
Carrying, etc., weapons.....	17	2	2	-	-	-	15	15	-	-	15	-	3	4	3	5	-	-
Other major offenses.....	58	6	3	-	1	2	52	31	19	2	52	-	46	2	3	1	-	-
Abortion.....	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	9	2	1	-	-	1	7	6	1	-	7	-	5	1	1	-	-	-
Sigamy.....	4	-	-	-	-	-	4	4	-	-	4	-	1	1	1	1	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	42	2	1	-	1	-	40	21	18	1	40	-	39	-	1	-	-	-
Kidnaping.....	1	-	-	-	-	-	1	-	-	1	1	-	1	-	-	-	-	-
Perjury.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ^a	1,801	425	220	173	16	17	1,375	1,267	93	15	1,375	-	59	156	206	945	8	1

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

KANSAS

A total of 945 defendants were disposed of for major offenses in the district courts of Kansas during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 945 defendants, 650, or 68.8 percent, were convicted and sentenced; and 443, or 68.2 percent, of the defendants convicted and sentenced were sent to a prison or reformatory. Of the 713 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 502, or 70.4 percent, were convicted; and of the 158 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 94, or 59.5 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 99.0 in 1939 to 56.3 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 76.8 in 1939 to 38.7 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 45.3 percent of all major offense dispositions.

During the past 5 years, 73.6 percent of all defendants disposed of for major crimes were convicted. In 1939, 77.6 percent of the defendants were convicted; in 1940, 79.0 percent; in 1941, 69.2 percent; in 1942, 69.8

percent; and in 1943, 68.8 percent. In 1943, 62.0 percent of all defendants entered a plea of guilty, whereas only 5.3 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 69.7 percent were sentenced to a prison or reformatory. The percentages for 1943 and 1939 were lower than this amount, while those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 18.7 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	945	1,055	1,424	1,430	1,805	56.3	61.4	81.5	79.4	99.0
Murder.....	20	34	21	16	29	1.2	2.0	1.2	0.9	1.6
Manslaughter.....	15	15	23	14	22	0.9	0.9	1.3	0.8	1.2
Robbery.....	19	36	72	54	71	1.1	2.2	4.1	3.0	3.9
Aggravated assault.....	55	45	89	60	55	3.3	2.6	5.1	3.3	3.0
Burglary.....	171	188	267	290	301	10.2	10.9	15.3	16.1	16.5
Larceny, except auto theft.....	257	320	369	404	554	15.3	18.6	21.1	22.4	30.4
Auto theft.....	56	75	95	72	76	3.3	4.4	5.4	4.0	4.2
Embezzlement and fraud.....	31	52	85	123	174	1.8	3.0	4.9	6.8	9.5
Stolen property, receiving, etc.....	39	23	29	25	27	2.0	1.3	1.7	1.4	1.5
Forgery and counterfeiting.....	146	154	232	205	256	8.7	9.0	13.3	11.4	14.1
Rape.....	65	44	68	70	100	4.1	2.6	3.9	3.9	5.5
Other major offenses.....	74	67	74	97	138	4.4	3.9	4.2	5.4	7.6
DEFENDANTS CONVICTED										
Total.....	650	736	986	1,130	1,400	38.7	42.8	56.4	62.7	76.8
Murder.....	17	25	10	10	22	1.0	1.5	0.6	0.6	1.2
Manslaughter.....	9	13	14	11	15	0.5	0.8	0.8	0.6	0.8
Robbery.....	15	25	56	43	51	0.9	1.5	3.2	2.4	2.8
Aggravated assault.....	32	27	31	36	39	1.9	1.6	1.8	2.0	2.1
Burglary.....	113	141	206	244	255	6.7	8.2	11.8	13.5	14.0
Larceny, except auto theft.....	187	235	285	345	470	11.1	13.7	16.3	19.2	25.8
Auto theft.....	44	63	80	68	67	2.6	3.7	4.6	3.6	3.7
Embezzlement and fraud.....	15	25	35	70	86	0.9	1.5	2.1	3.9	4.7
Stolen property, receiving, etc.....	25	11	16	17	20	1.5	0.6	0.9	0.9	1.1
Forgery and counterfeiting.....	103	104	171	182	213	6.1	6.1	9.8	10.1	11.7
Rape.....	36	21	37	38	64	2.1	1.2	2.1	2.1	3.5
Other major offenses.....	54	46	44	66	98	3.2	2.7	2.5	3.7	5.4

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS - KANSAS

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	943	100.0	1,055	100.0	1,000	100.0	1,430	100.0	1,805	100.0
Disposed of without conviction.....	295	31.2	319	30.2	308	30.8	300	21.0	405	22.4
Dismissed.....	237	25.2	266	25.2	274	26.3	244	17.1	335	18.6
Acquitted by court (jury waived).....	1	0.1	3	0.3	2	0.2	6	0.4	7	0.4
Acquitted by jury.....	28	3.0	38	3.6	58	4.1	49	3.4	61	3.3
Other no-penalty disposition.....	9	1.0	12	1.1	3	0.2	1	0.1	2	0.1
Convicted and sentenced.....	650	68.8	736	69.8	986	69.2	1,130	79.0	1,400	77.6
Pleaded guilty.....	586	62.0	633	60.0	864	60.7	1,007	70.4	1,263	70.0
Found guilty by court (jury waived).....	14	1.5	26	2.5	26	1.8	19	1.3	16	0.9
Found guilty by jury.....	50	5.3	77	7.3	96	6.7	104	7.3	121	6.7

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	650	100.0	736	100.0	986	100.0	1,130	100.0	1,400	100.0
Death penalty.....	2	0.3	-	-	-	-	-	-	-	-
Prison or reformatory.....	443	68.2	569	77.3	691	70.1	805	71.2	911	65.1
Probation or suspended sentence.....	118	18.2	84	11.4	185	18.8	211	18.7	318	22.7
Local jail or workhouse.....	75	11.5	74	10.1	91	9.2	105	9.3	151	10.8
Fine or costs only.....	6	0.9	8	1.1	18	1.8	9	0.8	20	1.4
Institution for juvenile delinquents only..	5	0.8	-	-	-	-	-	-	-	-
Other sentence.....	1	0.2	1	0.1	1	0.1	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	Total defendants disposed of	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS								SENTENCE FOR THOSE CONVICTED							
		Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other
		Total	Dismissed	Acquitted--		Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury			By court ¹	By jury								
All offenses.....	1,481	561	507	5	35	14	920	825	28	67	920	2	471	221	179	37	5
Major offenses.....	945	295	257	1	28	9	650	586	14	50	650	2	443	118	75	6	5
Murder.....	20	3	3	-	-	-	17	8	-	9	17	2	15	-	-	-	-
Manslaughter.....	15	6	3	-	2	1	9	4	-	5	9	-	6	2	1	-	-
Robbery.....	19	4	3	-	1	-	15	14	1	-	15	-	12	-	2	-	1
Aggravated assault.....	55	23	19	-	3	1	32	27	-	5	32	-	13	4	11	4	-
Burglary.....	171	58	49	-	8	1	113	104	5	4	113	-	89	20	3	-	1
Larceny, except auto theft..	257	70	66	-	3	1	187	177	1	9	187	-	115	43	27	-	2
Auto theft.....	56	12	9	-	-	3	44	40	2	2	44	-	30	5	6	1	-
Embezzlement and fraud.....	31	16	15	-	1	-	15	12	-	3	15	-	11	3	-	-	-
Stolen property, receiving, etc.....	33	8	7	1	-	-	25	21	-	4	25	-	10	11	4	-	-
Forgery and counterfeiting..	146	43	42	-	1	-	103	97	4	2	103	-	76	20	5	1	1
Rape.....	68	32	23	-	8	1	36	31	1	4	36	-	31	4	1	-	-
Commercialized vice.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-
Other sex offenses.....	14	3	3	-	-	-	11	10	-	1	11	-	6	-	5	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	6	3	3	-	-	-	3	3	-	-	3	-	1	-	2	-	-
Other major offenses.....	52	13	11	-	1	1	39	37	-	2	39	-	27	6	6	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	20	8	7	-	-	1	12	12	-	-	12	-	10	2	-	-	-
Bigamy.....	11	1	1	-	-	-	10	9	-	1	10	-	5	3	2	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	-	-	1	1	-	1	-	-	-	-
Escape and jail break.....	18	3	3	-	-	-	15	15	-	-	15	-	11	-	4	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	1	-	-	1	-	1	1	-	-	1	-	-	1	-	-	-
Minor offenses ²	536	266	250	4	7	5	270	239	14	17	270	-	28	103	104	31	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

MASSACHUSETTS

A total of 2,248 defendants were disposed of for offenses in the superior courts of Massachusetts during the calendar year 1943, according to reports received from the Massachusetts Department of Correction and the Bureau of the Census. Of these 2,248 defendants, 84.4 percent, were convicted and sentenced; 1,076, or 56.7 percent, of the defendants convicted were sentenced to imprisonment. Of the 1,076 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, counterfeiting) 1,330, or 85.8 percent, were convicted; and of the 367 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 297, or 80.9 percent were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 81.0 in 1939 to 54.9 in 1943. The rates for defendants convicted of major offenses followed the same general trend, decreasing from 65.4 in 1939 to 46.4 in 1943. More defendants were disposed of for burglary than for any other offense during 1943, with larceny following in second place, and these two offense groups together accounting for 45.1 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 82.3 percent of all defendants disposed of for major crimes were convicted. In 1939, 80.7 percent of the defendants were convicted; in

1940, 82.9 percent; in 1941, 84.6 percent; in 1942, 79.5 percent; and in 1943, 84.4 percent. In 1943, 73.4 percent of all defendants entered a plea of guilty, whereas only 7.6 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 54.7 percent were sentenced to imprisonment. The percentages for 1942, 1941, and 1940 fell below this figure, and those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 29.1 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentences or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	2,248	2,825	3,083	3,194	3,548	54.9	66.1	71.9	74.0	81.0
Murder.....	20	10	16	19	17	0.5	0.2	0.4	0.4	0.4
Manslaughter.....	37	28	31	17	41	0.9	0.7	0.7	0.4	0.9
Burglary.....	252	243	273	406	416	6.2	5.7	6.4	9.4	9.5
Aggravated assault.....	122	115	144	111	168	3.0	2.7	3.4	2.6	3.8
Larceny.....	686	727	845	962	1,057	15.5	17.0	19.7	22.3	24.1
Auto theft, except auto theft ⁴	377	595	630	566	527	9.2	13.9	14.7	13.1	12.0
Theft.....	174	325	404	311	354	4.3	7.6	9.4	7.2	8.1
Embezzlement, receiving, etc.....	57	77	52	62	59	1.4	1.8	1.2	1.4	1.3
Forgery and counterfeiting.....	54	57	99	57	44	1.3	1.3	2.3	1.3	1.0
Other major offenses.....	188	215	218	275	241	4.6	5.0	5.1	6.4	5.5
Total.....	331	433	371	408	624	8.1	10.1	8.7	9.5	14.2
DEFENDANTS CONVICTED										
Total.....	1,898	2,246	2,609	2,647	2,865	46.4	52.6	60.8	61.3	65.4
Murder.....	15	4	10	12	8	0.4	0.1	0.2	0.3	0.2
Manslaughter.....	28	19	24	13	12	0.7	0.4	0.6	0.3	0.3
Burglary.....	195	189	223	333	342	4.8	4.4	5.2	7.7	7.8
Aggravated assault.....	99	97	115	82	137	2.4	2.3	2.7	1.9	3.1
Larceny.....	588	670	784	874	969	14.4	15.7	18.3	20.2	22.1
Auto theft, except auto theft ⁴	313	378	518	434	445	7.6	8.8	12.1	10.1	10.2
Theft.....	151	283	357	273	286	3.7	6.6	8.3	6.3	6.5
Embezzlement, receiving, etc.....	40	55	41	46	51	1.0	1.3	1.0	1.1	1.2
Forgery and counterfeiting.....	43	42	89	50	42	1.1	1.0	2.1	1.2	1.0
Other major offenses.....	155	176	179	212	200	3.8	4.1	4.2	4.9	4.6
Total.....	271	333	269	318	373	6.6	7.8	6.3	7.4	8.5

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

Larceny, except auto theft, includes embezzlement and fraud.

JUDICIAL CRIMINAL STATISTICS--MASSACHUSETTS

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

[Percent not shown where less than 0.1]

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,248	100.0	2,825	100.0	3,063	100.0	3,194	100.0	3,548	100.0
Disposed of without conviction.....	350	15.6	379	20.5	474	15.4	547	17.1	683	19.2
Dismissed.....	160	7.1	367	13.0	233	7.6	242	7.6	393	11.1
Acquitted by court (jury waived).....	55	2.4	67	3.4	70	3.3	95	3.0	93	2.6
Acquitted by jury.....	133	5.9	145	5.1	168	5.4	209	6.5	195	5.5
Other no-penalty disposition.....	2	0.1	-	-	3	0.1	1	-	3	0.1
Convicted and sentenced.....	1,998	84.4	2,246	79.5	2,609	84.6	2,647	82.9	3,865	108.9
Pleading guilty.....	1,649	73.4	1,908	67.3	2,260	73.8	2,270	71.1	3,450	97.2
Found guilty by court (jury waived).....	79	3.5	143	5.1	118	3.8	132	4.1	103	2.9
Found guilty by jury.....	170	7.6	193	6.9	231	7.5	245	7.7	312	8.8

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

[Percent not shown where less than 0.1]

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,998	100.0	2,246	100.0	2,609	100.0	2,647	100.0	3,865	100.0
Death penalty.....	3	0.1	1	-	1	-	1	-	2	0
Imprisonment.....	1,076	53.7	1,189	52.9	1,428	54.6	1,428	53.9	1,587	40.8
Probation or suspended sentence.....	517	25.9	657	29.3	718	27.5	735	27.8	940	24.3
Fine or costs only.....	23	1.2	33	1.5	20	0.8	10	0.4	21	0
On file after conviction.....	280	14.0	366	16.3	445	17.1	473	17.9	315	8.1

¹ Includes defendants sentenced to a State prison or reformatory, to local jail or workhouse, or to an institution for juvenile delinquents only.

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED					
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Imprisonment ²	Probation or suspended sentence	Fine or costs only	Placed on file after conviction
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--							
				By court ¹	By jury				By court ¹	By jury						
All offenses.....	3,012	623	405	63	133	2	2,389	2,063	93	231	2,389	2	1,237	685	91	3
Major offenses.....	2,248	350	160	53	133	2	1,898	1,649	79	170	1,898	2	1,076	517	23	2
Murder.....	20	3	2	-	3	-	13	10	-	3	15	2	13	-	-	-
Manslaughter.....	37	9	-	-	9	-	28	22	-	6	28	-	24	4	-	-
Robbery.....	252	37	8	17	32	-	195	165	7	23	193	-	149	34	-	-
Aggravated assault.....	122	23	8	6	9	-	99	75	7	17	99	-	51	22	2	-
Burglary.....	636	48	28	8	10	2	588	363	7	18	588	-	281	222	1	-
Larceny, except auto theft ³	377	64	48	2	14	-	313	279	7	27	313	-	161	78	3	-
Auto theft.....	174	23	15	1	7	-	151	138	1	12	151	-	85	44	1	-
Stolen property, receiving, etc.....	57	17	9	3	5	-	40	37	-	3	40	-	14	18	3	-
Forgery and counterfeiting.....	54	11	7	-	4	-	43	42	-	1	43	-	20	12	3	-
Rape.....	188	33	16	2	15	-	135	124	9	22	155	-	108	37	-	-
Commercialized vice.....	11	5	1	1	3	-	6	5	1	-	6	-	2	2	1	-
Other sex offenses.....	186	32	7	10	15	-	153	123	12	18	133	-	97	20	6	-
Violating drug laws.....	4	3	-	2	-	-	2	2	-	-	2	-	2	-	-	-
Carrying, etc., weapons.....	35	3	1	-	2	-	32	6	24	2	32	-	23	2	-	-
Other major offenses.....	96	18	10	3	5	-	78	58	4	16	78	-	52	12	3	-
Abortion.....	22	7	4	1	2	-	15	5	2	8	15	-	10	4	1	-
Arson.....	22	6	1	3	3	-	16	12	2	2	16	-	10	3	-	-
Bigamy.....	11	2	2	-	-	-	9	7	-	2	9	-	9	-	-	-
Blackmail and extortion.....	3	1	1	-	-	-	2	2	-	-	2	-	2	-	-	-
Escape and jail break.....	20	-	-	-	-	-	20	18	-	2	20	-	13	3	-	-
Kidnaping.....	7	-	-	-	-	-	7	7	-	-	7	-	2	-	-	-
Perjury.....	11	2	3	-	-	-	9	7	-	2	9	-	6	1	2	-
Minor offenses ⁴	764	273	243	8	20	-	491	416	14	61	491	-	161	168	68	-

¹ Jury waived.² Includes defendants sentenced to a State prison or reformatory, to a local jail or workhouse, or to an institution for juvenile delinquents only.³ Larceny, except auto theft, includes embezzlement and fraud.⁴ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

MINNESOTA

A total of 929 defendants were disposed of for major offenses in the district courts of Minnesota during the calendar year 1943, according to individual reports received from the Minnesota Bureau of Criminal Apprehension by the Bureau of the Census. Of these 929 defendants, 826, or 88.9 percent, were convicted and sentenced; 406, or 49.2 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory; and 330, or 40.0 percent, were placed on probation or given a suspended sentence. Of the 643 defendants disposed of for major offenses against property in 1943

1940, 90.8 percent; in 1941, 89.7 percent; in 1942, 84.2 percent; and in 1943, 88.9 percent. In 1943, 83.6 percent of all defendants entered a plea of guilty, whereas only 4.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 45.2 percent were sentenced to a State prison or reformatory. The percentages for 1943 and 1939 were higher than this amount, while those for the remaining years were somewhat lower. Of all defendants convicted of major offenses during the past 5 years, 45.2 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for each major offense and also the number convicted, for 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

TABLE 1. MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

		RATE PER 100,000 OF THE POPULATION				
	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
90	2,069	36.8	51.8	62.3	71.3	74.9
14	12	0.3	0.4	0.6	0.5	0.4
24	28	1.0	1.4	1.4	0.9	1.0
53	127	0.8	2.4	2.2	1.9	4.6
76	72	1.9	2.4	2.1	2.7	2.6
278	225	4.2	4.6	7.0	10.0	8.1
336	702	11.6	18.6	19.8	22.8	25.4
151	170	2.9	4.0	5.1	5.4	6.2
52	71	0.7	1.6	2.2	1.9	2.6
38	37	0.7	1.1	1.0	1.4	1.3
353	321	4.8	7.0	10.8	12.6	11.6
91	112	3.5	3.1	4.4	3.3	4.1
224	192	4.7	5.3	5.6	8.0	7.0
907	1,873	32.7	43.6	55.9	64.7	67.8
10	7	0.2	0.4	0.4	0.4	0.3
16	17	0.7	0.9	1.0	0.6	0.6
50	111	0.7	2.1	1.9	1.8	4.0
58	62	1.4	1.5	1.5	2.1	2.2
264	220	4.0	3.9	6.3	9.5	8.0
590	639	10.8	16.2	18.3	21.1	23.1
143	161	2.4	3.4	5.0	5.1	5.8
36	59	0.4	1.2	1.5	1.3	2.1
35	28	0.6	0.9	0.9	1.3	1.0
333	308	4.5	6.2	9.9	11.9	11.2
81	101	2.9	2.4	3.9	2.9	3.7
191	160	4.2	4.4	5.3	6.8	5.8

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

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JUDICIAL CRIMINAL STATISTICS--MASSACHUSETTS

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

[Percent not shown where less than 0.1]

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,248	100.0	2,825	100.0	3,083	100.0	3,194	100.0	3,548	100.0
Disposed of without conviction.....	350	15.6	379	20.5	474	13.4	547	17.1	683	19.3
Dismissed.....	160	7.1	267	13.0	233	7.6	242	7.6	393	11.1
Acquitted by court (jury waived).....	55	2.4	67	2.4	70	2.3	95	3.0	98	2.8
Acquitted by jury.....	133	5.9	145	5.1	168	5.4	209	6.5	193	5.5
Other no-penalty disposition.....	2	0.1	-	-	3	0.1	1	-	3	0.1
Convicted and sentenced.....	1,898	84.4	2,246	79.5	2,609	84.6	2,647	82.9	2,865	80.7
Pleading guilty.....	1,649	73.4	1,908	67.3	2,260	73.3	2,270	71.1	2,450	69.1
Found guilty by court (jury waived).....	79	3.5	143	5.1	118	3.8	132	4.1	103	2.9
Found guilty by jury.....	170	7.6	193	6.9	231	7.5	245	7.7	312	8.8

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

[Percent not shown where less than 0.1]

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,898	100.0								
Death penalty.....	2	0.1								
Imprisonment.....	1,076	56.7								
Probation or suspended sentence.....	317	16.7								
Fine or costs only.....	23	1.2								
On file after conviction.....	280	14.8								

¹ Includes defendants sentenced to a State prison or reformatory, to local

Table 4. DISPOSITION

OFFENSE	PROCEDURAL OUTCOME				
	Total defendants disposed of	Disposition			
		Total	Dismissed	Acquitted--	
				By court ¹	By jury
All offenses.....	3,012	623	405	63	133
Major offenses.....	2,248	350	160	55	133
Murder.....	20	3	2	-	3
Man-slaughter.....	37	9	-	-	9
Robbery.....	252	37	8	17	32
Aggravated assault.....	122	23	8	6	9
Burglary.....	636	49	28	8	10
Larceny, except auto theft ²	377	64	48	2	14
Auto theft.....	174	23	15	1	7
Stolen property, receiving, etc.....	57	17	9	3	5
Forgery and counterfeiting.....	54	11	7	-	4
Rape.....	188	33	16	2	15
Commercialized vice.....	11	5	1	1	3
Other sex offenses.....	186	32	7	10	15
Violating drug laws.....	4	2	-	2	-
Carrying, etc., weapons.....	35	3	1	-	2
Other major offenses.....	96	18	10	3	5
Abortion.....	22	7	4	1	2
Arson.....	22	6	1	3	3
Bigamy.....	11	3	2	-	-
Blackmail and extortion.....	3	1	1	-	-
Escape and jail break.....	20	-	-	-	-
Kidnaping.....	7	-	-	-	-
Perjury.....	11	3	2	-	-
Minor offenses ³	764	273	245	8	20

¹ Jury waived.² Includes defendants sentenced to a State prison or reformatory, to a³ Larceny, except auto theft, includes embezzlement and fraud.⁴ This group includes minor assault; nonsupport; violating liquor, game usually tried in minor courts.

This is very good report for 1943. It
 what seems to be most of the cases. It is
 not a good one for just for 1943.
 Define degrees of murder to some
 extent.
 Which penalty - charge - per-treated
 by custom & experience.
 Criminals are not to be let off.
 We are not sure that we are not to be let off.
 We are not sure that we are not to be let off.
 According to A. H. Carter - debate
 with Clarence Darrow - 1928, in present

JUDICIAL CRIMINAL STATISTICS: 1943

MINNESOTA

A total of 929 defendants were disposed of for major offenses in the district courts of Minnesota during the calendar year 1943, according to individual reports received from the Minnesota Bureau of Criminal Apprehension by the Bureau of the Census. Of these 929 defendants, 826, or 88.9 percent, were convicted and sentenced; 6, or 49.2 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory; and 330, or 40.0 percent, were placed on probation or given a suspended sentence. Of the 643 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 640, or 91.8 percent, were convicted; and of the 168 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 130, or 77.4 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 74.9 in 1939 to 36.8 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 67.8 in 1939 to 32.7 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 44.3 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 89.2 percent of all defendants disposed of for major crimes were convicted. In 1939, 90.5 percent of the defendants were convicted; in

1940, 90.8 percent; in 1941, 89.7 percent; in 1942, 84.2 percent; and in 1943, 88.9 percent. In 1943, 83.6 percent of all defendants entered a plea of guilty, whereas only 4.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 45.2 percent were sentenced to a State prison or reformatory. The percentages for 1943 and 1939 were higher than this amount, while those for the remaining years were somewhat lower. Of all defendants convicted of major offenses during the past 5 years, 41.0 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	929	1,385	1,696	1,990	2,069	36.8	51.8	62.3	71.3	74.9
Murder.....	7	11	17	14	12	0.3	0.4	0.6	0.5	0.4
Manslaughter.....	25	37	37	24	28	1.0	1.4	1.4	0.9	1.0
Robbery.....	19	63	61	53	127	0.8	2.4	2.2	1.9	4.6
Aggravated assault.....	47	63	57	76	72	1.9	2.4	2.1	2.7	2.6
Burglary.....	105	122	191	278	225	4.2	4.6	7.0	10.0	8.1
Larceny, except auto theft.....	292	499	539	636	702	11.6	18.6	19.8	22.8	25.4
Auto theft.....	72	107	139	151	170	2.9	4.0	5.1	5.4	6.2
Embezzlement and fraud.....	18	42	61	52	71	0.7	1.6	2.2	1.9	2.6
Stolen property, receiving, etc.....	17	29	27	38	37	0.7	1.1	1.0	1.4	1.3
Forgery and counterfeiting.....	120	187	295	353	321	4.8	7.0	10.8	12.6	11.6
Other.....	89	84	120	91	112	3.5	3.1	4.4	3.3	4.1
For major offenses.....	118	141	152	224	192	4.7	5.3	5.6	8.0	7.0
DEFENDANTS CONVICTED										
Total.....	826	1,166	1,522	1,807	1,873	32.7	43.6	55.9	64.7	67.8
Murder.....	5	10	12	10	7	0.2	0.4	0.4	0.4	0.3
Manslaughter.....	17	25	26	16	17	0.7	0.9	1.0	0.6	0.6
Robbery.....	17	57	53	50	111	0.7	2.1	1.9	1.8	4.0
Aggravated assault.....	36	39	42	58	62	1.4	1.5	1.5	2.1	2.2
Burglary.....	100	105	172	264	220	4.0	3.9	6.3	9.5	8.0
Larceny, except auto theft.....	274	434	498	590	639	10.8	16.2	18.3	21.1	23.1
Auto theft.....	60	92	135	143	161	2.4	3.4	5.0	5.1	5.8
Embezzlement and fraud.....	11	33	42	36	59	0.4	1.2	1.5	1.3	2.1
Stolen property, receiving, etc.....	14	23	24	35	28	0.6	0.9	0.9	1.3	1.0
Forgery and counterfeiting.....	114	165	270	333	308	4.5	6.2	9.9	11.9	11.2
Other.....	72	65	105	81	101	2.9	2.4	3.9	2.9	3.7
For major offenses.....	106	118	143	191	160	4.2	4.4	5.3	6.8	5.8

Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

Based on Population census of 1940.

Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--MINNESOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	929	100.0	1,385	100.0	1,696	100.0	1,990	100.0	2,069	100.0
Disposed of without conviction.....	103	11.1	219	15.8	174	10.3	183	9.2	196	9.5
Dismissed.....	74	8.0	153	11.0	125	7.4	130	6.5	132	6.4
Acquitted by court (jury waived).....	-	-	1	0.1	1	0.1	3	0.2	-	-
Acquitted by jury.....	25	2.7	46	3.3	43	2.5	43	2.2	56	2.7
Other no-penalty disposition.....	4	0.4	19	1.4	5	0.3	7	0.4	8	0.4
Convicted and sentenced.....	826	88.9	1,166	84.2	1,522	89.7	1,807	90.8	1,873	90.5
Found guilty.....	777	83.5	1,089	78.6	1,424	84.6	1,741	87.5	1,784	86.2
Found guilty by court (jury waived).....	5	0.5	5	0.4	7	0.4	3	0.2	6	0.3
Found guilty by jury.....	44	4.7	72	5.2	61	4.3	63	3.2	83	4.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

(Death penalty not applicable in Minnesota)

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	826	100.0	1,166	100.0	1,522	100.0	1,807	100.0	1,873	100.0
Prison or reformatory.....	406	49.2	518	44.4	686	44.9	788	43.6	859	45.9
Probation or suspended sentence.....	350	40.0	496	42.5	661	43.4	719	39.8	740	39.5
Local jail or workhouse.....	64	7.7	122	10.5	148	9.7	240	13.3	212	11.3
Fine or costs only.....	19	2.3	27	2.3	27	1.8	55	3.0	55	2.9
Institution for juvenile delinquents only..	5	0.7	3	0.3	2	0.1	5	0.3	7	0.4
Other sentence.....	1	0.1	-	-	1	0.1	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

(Death penalty not applicable in Minnesota)

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,152	147	106	-	35	4	1,005	947	7	51	1,005	410	410	90	88	6	6	1
Major offenses.....	929	103	74	-	25	4	826	777	5	44	826	406	550	64	19	6	6	1
Murder.....	7	2	-	-	2	-	5	3	-	2	5	5	-	-	-	-	-	-
Manslaughter.....	25	8	1	-	6	1	17	12	-	5	17	11	5	1	-	-	-	-
Robbery.....	19	2	2	-	-	-	17	16	-	1	17	16	1	-	-	-	-	-
Aggravated assault.....	47	11	9	-	2	-	36	33	-	3	36	16	15	3	2	-	-	-
Burglary.....	105	5	5	-	-	-	100	99	-	1	100	64	29	4	-	3	-	-
Larceny, except auto theft..	292	18	14	-	3	1	274	264	3	7	274	122	127	19	3	3	-	-
Auto theft.....	72	12	12	-	-	-	60	57	-	3	60	27	29	4	-	-	-	-
Extortion and fraud.....	18	7	4	-	3	-	11	10	1	-	11	3	6	-	2	-	-	-
Stolen property, receiving, etc.....	17	3	2	-	1	-	14	11	-	3	14	1	7	3	3	-	-	-
Forgery and counterfeiting..	120	6	6	-	-	-	114	110	-	4	114	46	49	16	3	-	-	-
Rape.....	99	17	13	-	4	-	72	67	1	4	72	34	29	8	-	-	-	1
Commercialized vice.....	4	2	2	-	-	-	2	1	-	1	2	1	-	1	-	-	-	-
Other sex offenses.....	74	7	3	-	2	2	67	60	-	7	67	41	20	3	3	-	-	-
Violating drug laws.....	12	1	-	-	1	-	11	10	-	1	11	4	2	2	3	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Other major offenses.....	27	2	1	-	1	-	25	23	-	2	25	15	10	-	-	-	-	-
Abortion.....	3	-	-	-	-	-	3	2	-	1	3	1	2	-	-	-	-	-
Arson.....	5	1	-	-	1	-	4	3	-	1	4	1	3	-	-	-	-	-
Bigamy.....	8	-	-	-	-	-	8	8	-	-	8	4	4	-	-	-	-	-
Blackmail and extortion....	2	-	-	-	-	-	2	2	-	-	2	2	-	-	-	-	-	-
Escape and jail break.....	7	-	-	-	-	-	7	7	-	-	7	7	-	-	-	-	-	-
Kidnaping.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Minor offenses ²	223	44	34	-	10	-	179	170	2	7	179	4	60	26	69	-	-	-

¹ Jury waived.² This group include minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

MONTANA

A total of 246 defendants were disposed of for major offenses in the district courts of Montana during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 246 defendants, 186, or 75.6 percent, were convicted and sentenced; and 136, or 73.1 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 166 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 128, or 77.1 percent, were convicted; and of the 52 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 37, or 71.2 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend from 97.0 in 1939 to 59.5 in 1943, although there was a slight increase in 1940 over 1939. The rate for defendants convicted of major offenses decreased steadily from 83.1 in 1939 to 45.0 in 1943. More defendants are disposed of for larceny than for any other offense during 1943, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 41.5 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 80.4 percent of all defendants disposed of for major crimes were convicted. The

percentage convicted decreased from 85.6 in 1939 to 75.6 in 1943. In 1943, 68.3 percent of all defendants entered a plea of guilty, whereas only 5.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 76.0 percent were sentenced to a State prison or reformatory. The percentages for 1941, 1942, and 1943 fell below this amount, while those for 1939 and 1940 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 15.3 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 56 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 52 counties, 87.9 percent; 1942, 1941, and 1940, all counties, 100.0 percent; 1939, 44 counties, 70.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ²	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	246	376	503	549	375	59.5	72.1	93.8	98.1	97.0
Murder.....	6	8	10	8	8	1.5	1.5	1.9	1.4	2.1
Manslaughter.....	4	13	5	5	6	1.0	2.5	0.9	0.9	1.6
Robbery.....	1	23	27	31	16	0.2	4.4	5.0	5.5	4.1
Aggravated assault.....	23	25	22	30	22	5.6	4.8	4.1	5.4	5.7
Burglary.....	42	74	99	149	93	10.2	14.2	18.5	26.6	24.1
Larceny, except auto theft.....	54	78	134	115	97	13.1	15.0	25.0	20.6	25.1
Auto theft.....	12	12	19	42	14	2.9	2.3	3.5	7.5	3.6
Embezzlement and fraud.....	3	7	7	7	12	0.7	1.3	1.3	1.3	3.1
Stolen property, receiving, etc.....	6	6	7	28	6	1.5	1.2	1.3	5.0	1.6
Forgery and counterfeiting.....	48	59	98	91	61	11.6	11.3	18.3	16.3	15.8
Other.....	19	27	36	27	13	4.6	5.2	6.7	4.8	3.4
Other major offenses.....	28	44	39	16	27	6.8	8.4	7.3	2.9	7.0
DEFENDANTS CONVICTED										
Total.....	186	289	398	453	321	45.0	55.4	74.2	81.0	83.1
Murder.....	5	6	7	5	6	1.2	1.2	1.3	0.9	1.6
Manslaughter.....	4	7	3	1	3	1.0	1.3	0.6	0.2	0.8
Robbery.....	-	20	21	23	10	-	3.8	3.9	4.1	2.6
Aggravated assault.....	17	18	18	23	20	4.1	3.5	3.4	4.1	5.2
Burglary.....	29	58	80	131	89	7.0	11.1	14.9	23.4	23.0
Larceny, except auto theft.....	36	55	107	95	78	8.7	10.5	20.0	17.0	20.2
Auto theft.....	11	9	15	33	14	2.7	1.7	2.8	5.9	3.6
Embezzlement and fraud.....	1	5	6	4	9	0.2	1.0	1.1	0.7	2.3
Stolen property, receiving, etc.....	5	6	6	26	4	1.2	1.2	1.1	4.6	1.0
Forgery and counterfeiting.....	46	53	90	84	58	11.1	10.2	16.8	15.1	15.0
Other.....	11	13	16	17	9	2.7	2.5	3.0	3.0	2.3
Other major offenses.....	21	39	29	11	21	5.1	7.5	5.4	2.0	5.4

¹Based on estimate of civilian population for counties reporting.

²Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³Based on Population census of 1940.

⁴Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--MONTANA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	246	100.0	376	100.0	503	100.0	549	100.0	375	100.0
Disposed of without conviction.....	60	24.4	87	23.1	105	20.9	96	17.5	54	14.4
Dismissed.....	43	17.5	69	18.4	90	17.9	71	12.9	43	11.5
Acquitted by court (jury waived).....	4	1.6	4	1.1	-	-	-	-	-	-
Acquitted by jury.....	8	3.3	13	3.5	14	2.8	21	3.8	10	2.7
Other no-penalty disposition.....	5	2.0	1	0.3	1	0.2	4	0.7	1	0.3
Convicted and sentenced.....	186	75.6	289	76.9	398	79.1	453	82.5	321	85.6
Pleaded guilty.....	168	68.3	258	68.6	345	68.6	390	71.0	294	78.4
Found guilty by court (jury waived).....	4	1.6	8	2.1	8	1.6	21	3.8	2	0.5
Found guilty by jury.....	14	5.7	23	6.1	45	8.9	42	7.7	25	6.7

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	186	100.0	289	100.0	398	100.0	453	100.0	321	100.0
Death penalty.....	1	0.5	-	-	-	-	-	-	1	0.3
Prison or reformatory.....	136	73.1	217	75.1	300	75.4	351	77.5	248	77.3
Probation or suspended sentence.....	34	18.3	46	15.9	64	16.1	62	13.7	46	14.3
Local jail or workhouse.....	2	1.1	4	1.4	17	4.3	24	5.3	13	4.0
Fine or costs only.....	6	3.2	5	2.1	9	2.3	5	1.1	6	1.9
Institution for juvenile delinquents only..	6	3.2	16	5.5	8	2.0	11	2.4	7	2.2
Other sentence.....	1	0.5	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	331	92	67	6	10	9	239	212	6	21	239	1	143	45	16	21	11	2
Major offenses.....	246	60	43	4	8	5	186	168	4	14	186	1	136	34	2	6	6	1
Murder.....	6	1	-	-	1	-	5	3	-	2	5	1	4	-	-	-	-	-
Manslaughter.....	4	-	-	-	-	-	4	2	-	2	4	-	4	-	-	-	-	-
Robbery.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Aggravated assault.....	23	6	3	-	1	2	17	15	-	2	17	-	11	4	1	1	-	-
Burglary.....	42	13	9	-	2	2	29	28	-	1	29	-	20	6	-	-	3	-
Larceny, except auto theft..	54	18	15	2	1	-	36	31	2	3	36	-	26	7	-	1	1	1
Auto theft.....	12	1	1	-	-	-	11	11	-	-	11	-	6	1	1	2	1	-
Embezzlement and fraud.....	3	2	2	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Stolen property, receiving, etc.....	6	1	1	-	-	-	5	4	-	1	5	-	4	-	-	1	-	-
Forgery and counterfeiting..	48	2	1	-	-	1	46	45	1	-	46	-	36	9	-	-	1	-
Rape.....	19	8	6	-	2	-	11	9	1	1	11	-	10	1	-	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	12	2	2	-	-	-	10	8	-	2	10	-	9	1	-	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	1	1	-	-	-	4	4	-	-	4	-	1	2	-	1	-	-
Other major offenses.....	11	4	2	2	-	-	7	7	-	-	7	-	4	3	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	6	3	2	1	-	-	3	3	-	-	3	-	1	2	-	-	-	-
Bigamy.....	4	1	-	1	-	-	3	3	-	-	3	-	2	1	-	-	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ²	85	32	24	2	2	4	53	44	2	7	53	-	7	11	14	15	5	1

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

NEW HAMPSHIRE

A total of 220 defendants were disposed of for major offenses in the superior courts of New Hampshire during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 220 defendants, 202, or 91.8 percent, were convicted and sentenced; and 94, or 46.5 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence. Of the 137 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 127, or 92.7 percent, were convicted; and of the 39 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 35 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a general decline from 89.3 in 1939 to 52.8 in 1943. The rate for defendants convicted increased from 69.0 in 1939 to 77.5 in 1940, and then decreased to 48.5 in 1943. Among the defendants disposed of for major offenses during 1943, there were more defendants disposed of for burglary than for any other offense, with larceny following in second place, and the two offense groups together accounting for 41.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 84.5 percent of all defendants disposed of for major offenses were convicted. In

1939, 77.3 percent of the defendants were convicted; in 1940, 88.2 percent; in 1941, 89.3 percent; in 1942, 79.4 percent; and in 1943, 91.8 percent. In 1943, 80.5 percent of all defendants entered a plea of guilty, whereas only 4.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 49.4 percent were placed on probation or given a suspended sentence. The percentages for 1941 and 1943 fell below this figure, and the percentages for the remaining years were somewhat higher.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 10 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 8 counties, 91.9 percent; 1942, 9 counties, 96.8 percent; 1941, 1940, and 1939, all counties, 100.0 percent.)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	220	335	337	432	436	52.8	72.4	69.7	87.9	89.3
Murder.....	-	-	1	1	8	-	-	0.2	0.2	1.6
Manslaughter.....	3	5	3	2	4	0.7	1.1	0.6	0.4	0.8
Robbery.....	4	6	10	8	15	1.0	1.3	2.1	1.6	3.1
Aggravated assault.....	17	23	19	13	18	4.1	5.0	3.9	2.6	3.7
Burglary.....	49	89	79	90	109	11.8	19.2	16.4	18.3	22.3
Larceny, except auto theft.....	42	57	59	98	78	10.1	12.3	12.2	19.9	16.0
Auto theft.....	7	13	15	24	20	1.7	2.8	3.1	4.9	4.1
Embezzlement and fraud.....	21	40	32	54	74	5.0	8.7	6.6	11.0	15.1
Stolen property, receiving, etc.....	3	3	7	4	5	0.7	0.6	1.4	0.8	1.0
Forgery and counterfeiting.....	11	8	18	20	10	2.6	1.7	3.7	4.1	2.0
Rape.....	19	25	34	27	29	4.6	5.4	7.0	5.5	5.9
Other major offenses.....	44	66	60	91	66	10.6	14.3	12.4	18.5	13.5
DEFENDANTS CONVICTED										
Total.....	202	266	301	381	337	48.5	57.5	62.3	77.5	69.0
Murder.....	-	-	-	1	6	-	-	-	0.2	1.2
Manslaughter.....	3	3	3	1	3	0.7	0.6	0.6	0.2	0.6
Robbery.....	3	5	9	8	13	0.7	1.1	1.9	1.6	2.7
Aggravated assault.....	14	21	17	12	14	3.4	4.5	3.5	2.4	2.9
Burglary.....	47	76	73	86	95	11.3	16.4	15.1	17.5	19.4
Larceny, except auto theft.....	38	46	57	92	69	9.1	9.9	11.8	18.7	14.1
Auto theft.....	7	7	13	21	17	1.7	1.5	2.7	4.3	3.5
Embezzlement and fraud.....	19	26	26	43	32	4.6	5.6	5.4	8.7	6.6
Stolen property, receiving, etc.....	2	3	7	3	4	0.5	0.6	1.4	0.6	0.8
Forgery and counterfeiting.....	11	6	17	18	9	2.6	1.3	3.5	3.7	1.8
Rape.....	18	22	29	20	20	4.3	4.8	6.0	4.1	4.1
Other major offenses.....	40	51	50	76	55	9.6	11.0	10.3	15.5	11.3

¹ Based on estimate of civilian population for counties reporting.

² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--NEW HAMPSHIRE

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	220	100.0	335	100.0	337	100.0	432	100.0	436	100.0
Disposed of without conviction.....	18	8.2	69	20.6	36	10.7	51	11.8	99	22.7
Dismissed.....	14	6.4	45	13.4	31	9.2	38	8.8	86	19.7
Acquitted by court (jury waived).....	-	-	2	0.6	-	-	1	0.2	1	-
Acquitted by jury.....	2	0.9	6	1.5	1	0.3	6	1.4	9	2.1
Other no-penalty disposition.....	2	0.9	17	5.1	4	1.2	6	1.4	4	0.9
Convicted and sentenced.....	202	91.8	266	79.4	301	89.3	381	88.2	337	77.3
Pleading guilty ¹	177	80.5	261	77.9	274	81.3	368	85.2	334	76.6
Found guilty by court (jury waived).....	15	6.8	-	-	18	5.3	1	0.2	-	-
Found guilty by jury.....	10	4.5	5	1.5	9	2.7	12	2.8	3	0.7

¹ Includes one plea of nolo contendere for manslaughter.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	202	100.0	266	100.0	301	100.0	381	100.0	337	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	59	29.2	69	25.9	83	27.6	104	27.3	91	27.0
Probation or suspended sentence.....	94	46.5	132	49.6	130	43.2	202	53.0	176	52.2
Local jail or workhouse.....	37	18.3	52	19.5	66	21.9	66	17.3	55	16.3
Fine or costs only.....	7	3.5	9	3.4	7	2.3	8	2.1	12	3.6
Institution for juvenile delinquents only..	-	-	2	0.8	3	1.0	1	0.3	3	0.9
Other sentence.....	5	2.5	2	0.8	12	4.0	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty ¹	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	267	26	21	-	2	3	241	212	18	11	241	-	63	119	41	13	-	-
Major offenses.....	220	18	14	-	2	2	202	177	15	10	202	-	59	94	37	7	-	-
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter.....	3	-	-	-	-	-	3	2	1	-	3	-	-	3	-	-	-	-
Robbery.....	4	1	1	-	-	-	3	2	-	1	3	-	1	-	1	-	-	-
Aggravated assault.....	17	3	2	-	-	1	14	12	2	-	14	-	2	5	4	3	-	-
Burglary.....	49	2	2	-	-	-	47	47	-	-	47	-	13	23	10	-	-	-
Larceny, except auto theft..	42	4	4	-	-	-	38	30	6	2	38	-	10	21	7	-	-	-
Auto theft.....	7	-	-	-	-	-	7	6	1	-	7	-	3	2	2	-	-	-
Embezzlement and fraud.....	21	2	1	-	-	1	19	18	1	-	19	-	2	7	6	1	-	-
Stolen property, receiving, etc.....	3	1	1	-	-	-	2	2	-	-	2	-	-	2	-	-	-	-
Forgery and counterfeiting..	11	-	-	-	-	-	11	10	1	-	11	-	7	4	-	-	-	-
Rape.....	19	1	-	-	1	-	18	12	1	5	18	-	13	4	1	-	-	-
Commercialized vice.....	6	-	-	-	-	-	6	4	1	1	6	-	-	3	3	-	-	-
Other sex offenses.....	32	3	2	-	1	-	29	27	1	1	29	-	6	19	1	3	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Other major offenses.....	5	1	1	-	-	-	4	4	-	-	4	-	1	1	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bigamy.....	3	-	-	-	-	-	3	3	-	-	3	-	1	1	1	-	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ²	47	8	7	-	-	1	39	35	3	1	39	-	4	25	4	6	-	-

¹ Jury waived.² Includes one plea of nolo contendere for manslaughter.³ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

NEW JERSEY

A total of 4,466 defendants were disposed of for major offenses in the trial courts of New Jersey during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 4,466 defendants, 3,379, or 75.7 percent, were convicted and sentenced; 1,430, or 42.3 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence; and 1,147, or 33.9 percent, were sentenced to a State prison or reformatory. Of the 2,700 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 2,143, or 79.4 percent, were convicted; and of the 728 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 463, or 63.6 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has fluctuated from year to year, during the 5 years since 1939, and has ranged from 112.6 in 1943 to 177.3 in 1940. The rate for defendants convicted followed the same pattern of variation, ranging from 85.2 in 1943 to 135.0 in 1940. More defendants were disposed of for burglary than for any other offense during 1943, with larceny following in second place, and the two offense groups together accounting for 38.1 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 76.9 percent of all defendants disposed of for major offenses were convicted. This

percentage was 80.1 in 1939, 76.1 in 1940, 77.8 in 1941, 74.9 in 1942, and 75.7 in 1943. In 1943, 63.3 percent of all defendants entered a plea of guilty, whereas only 2.8 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 37.5 percent were placed on probation or given a suspended sentence. The percentages for 1941 and 1939 fell below this figure, and the percentages for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 34.6 percent were sentenced to a State prison or reformatory.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1.—DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 21 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 19 counties, 97.2 percent; 1942, 19 counties, 93.8 percent; 1941, 20 counties, 94.8 percent; 1940, 20 counties, 98.3 percent; 1939, all counties, 100.0 percent.)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	4,466	5,872	5,291	7,250	5,870	112.6	148.1	133.0	177.3	142.1
Murder.....	23	65	57	51	34	0.6	1.6	1.4	1.2	0.8
Manslaughter.....	73	80	101	103	70	1.8	2.0	2.5	2.5	1.7
Robbery.....	342	268	354	400	397	8.6	6.8	8.9	9.8	9.6
Aggravated assault.....	467	725	654	743	661	11.8	18.3	16.4	18.2	16.0
Burglary.....	903	1,038	963	1,666	1,298	22.8	26.2	24.2	40.7	31.4
Larceny, except auto theft.....	799	1,061	831	1,193	1,054	20.1	26.8	20.9	29.2	25.5
Auto theft.....	218	305	343	398	226	5.5	7.7	8.6	9.7	5.5
Embezzlement and fraud.....	269	499	408	956	674	6.8	12.6	10.3	23.4	16.3
Stolen property, receiving, etc.....	101	176	179	152	168	2.5	4.4	4.5	3.7	4.1
Forgery and counterfeiting.....	68	175	172	127	111	1.7	4.4	4.3	3.1	2.7
Rape.....	165	231	242	220	201	4.2	5.8	6.1	5.4	4.9
Other major offenses.....	1,038	1,249	987	1,241	976	26.2	31.5	24.8	30.3	23.6
DEFENDANTS CONVICTED										
Total.....	3,379	4,399	4,117	5,519	4,700	85.2	111.0	103.5	135.0	113.8
Murder.....	17	47	41	35	23	0.4	1.2	1.0	0.9	0.6
Manslaughter.....	35	42	43	40	36	0.9	1.1	1.1	1.0	0.9
Robbery.....	237	219	270	329	322	6.0	5.5	6.8	8.0	7.8
Aggravated assault.....	293	444	415	457	454	7.4	11.2	10.4	11.2	11.0
Burglary.....	808	918	874	1,502	1,192	20.4	23.2	22.0	36.7	28.9
Larceny, except auto theft.....	642	826	673	989	908	16.2	20.8	16.9	24.2	22.0
Auto theft.....	183	266	319	308	199	4.6	6.7	8.0	7.5	4.8
Embezzlement and fraud.....	172	279	286	580	438	4.3	7.0	7.2	14.2	10.6
Stolen property, receiving, etc.....	65	121	125	102	119	1.6	3.1	3.1	2.5	2.9
Forgery and counterfeiting.....	36	132	119	101	95	0.9	3.3	3.0	2.5	2.3
Rape.....	118	164	179	158	150	3.0	4.1	4.5	3.9	3.6
Other major offenses.....	773	941	773	918	764	19.5	23.7	19.4	22.4	18.5

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940 for counties reporting.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--NEW JERSEY

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	4,466	100.0	5,872	100.0	5,291	100.0	7,250	100.0	5,870	100.0
Disposed of without conviction.....	1,087	24.3	1,473	25.1	1,174	22.2	1,731	23.9	1,170	19.9
Dismissed.....	643	14.4	911	15.5	739	14.0	1,132	15.6	702	12.0
Acquitted by court (jury waived).....	187	4.2	307	5.2	241	4.6	302	4.2	254	4.3
Acquitted by jury.....	98	2.2	160	2.7	166	3.1	185	2.6	198	3.4
Other no-penalty disposition.....	138	3.5	95	1.6	28	0.5	112	1.5	26	0.4
Convicted and sentenced.....	3,379	75.7	4,399	74.9	4,117	77.8	5,519	76.1	4,700	80.1
Pleaded guilty.....	2,827	63.3	3,560	60.6	3,542	66.9	4,648	64.1	4,108	69.8
Found guilty by court (jury waived).....	427	9.6	642	10.9	401	7.6	593	8.2	374	6.4
Found guilty by jury.....	125	2.8	197	3.4	174	3.3	278	3.8	223	3.8

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

(Percent not shown where less than 0.1)

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	3,379	100.0	4,399	100.0	4,117	100.0	5,519	100.0	4,700	100.0
Death penalty.....	-	-	1	-	3	0.1	-	-	2	-
Prison or reformatory.....	1,147	33.9	1,504	34.2	1,488	36.1	1,960	35.5	1,555	33.1
Probation or suspended sentence.....	1,430	42.3	1,672	38.0	1,399	34.0	2,098	38.0	1,704	36.3
Local jail or workhouse.....	485	14.4	809	18.4	796	19.3	1,053	19.1	944	20.1
Fine or costs only.....	298	8.8	395	9.0	408	9.9	341	6.2	402	8.6
Institution for juvenile delinquents only..	19	0.6	5	0.1	11	0.3	51	0.9	80	1.7
Other sentence.....	-	-	18	0.4	12	0.3	16	0.3	13	0.3

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other non-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offense.....	6,271	1,844	1,172	313	185	224	4,427	3,498	780	154	4,427	-	1,218	1,946	656	577	22	-
Major offenses.....	4,466	1,087	643	187	99	158	3,379	2,827	427	125	3,379	-	1,147	1,430	485	298	19	-
Murder.....	23	6	-	-	5	1	17	7	-	10	17	-	17	-	-	-	-	-
Manslaughter.....	73	38	12	5	5	16	35	27	6	2	35	-	10	6	7	12	-	-
Robbery.....	342	105	72	12	8	13	237	178	37	22	237	-	141	68	24	4	-	-
Aggravated assault.....	467	174	78	57	22	17	293	223	53	17	293	-	63	117	72	41	-	-
Burglary.....	903	95	47	21	3	24	808	735	66	7	808	-	307	348	98	46	9	-
Larceny, except auto theft..	799	157	108	18	9	23	642	534	104	4	642	-	155	340	82	58	7	-
Auto theft.....	818	35	18	4	1	12	183	170	12	1	183	-	67	85	21	8	2	-
Embezzlement and fraud.....	269	97	60	19	10	8	172	155	11	6	172	-	31	80	30	30	1	-
Stolen property, receiving, etc.....	101	36	28	2	2	4	65	52	8	5	65	-	8	29	15	13	-	-
Forgery and counterfeiting..	68	32	23	1	-	8	36	34	2	-	36	-	14	15	5	2	-	-
Rape.....	165	47	20	5	10	12	118	97	7	14	118	-	63	38	11	6	-	-
Commercialized vice.....	178	51	40	6	2	3	122	98	13	11	122	-	46	58	10	13	-	-
Other sex offenses.....	575	134	88	26	12	8	441	330	95	16	441	-	145	170	72	54	-	-
Violating drug laws.....	19	8	3	1	-	4	11	11	-	-	11	-	2	4	4	1	-	-
Carrying, etc., weapons.....	134	30	19	7	2	2	104	92	9	3	104	-	21	54	24	5	-	-
Other major offenses.....	137	42	27	3	8	4	95	84	4	7	95	-	57	23	10	5	-	-
Abortion.....	34	11	8	-	3	-	23	18	-	5	23	-	3	7	3	4	-	-
Arson.....	19	9	2	1	3	3	10	10	-	-	10	-	3	4	2	1	-	-
Sigamy.....	14	1	-	-	-	1	13	12	1	-	13	-	5	7	1	-	-	-
Blackmail and extortion....	3	-	-	-	-	-	3	1	1	1	3	-	2	-	1	-	-	-
Escape and jail break.....	42	1	1	-	-	-	41	40	1	-	41	-	36	2	3	-	-	-
Kidnaping.....	3	-	-	-	-	-	3	2	1	-	3	-	-	3	-	-	-	-
Perjury.....	22	20	16	2	2	-	2	1	-	1	2	-	2	-	-	-	-	-
Minor offenses ²	1,805	757	529	126	36	66	1,048	666	358	29	1,048	-	71	516	171	279	3	-

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors while are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

NEW MEXICO

A total of 720 defendants were disposed of for major offenses in the district courts of New Mexico during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 720 defendants, 469, or 65.1 percent, were convicted and sentenced; 227, or 48.4 percent, of the defendants convicted and sentenced were sent to a prison or reformatory; and 139, or 29.6 percent, were placed on probation or given a suspended sentence. Of the 450 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 323, or 71.8 percent, were convicted; and of the 160 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 78, or 48.8 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has fluctuated from year to year, ranging from 196.6 in 1939 to 123.1 in 1942. The rate for defendants convicted decreased from 142.0 in 1939 to 83.5 in 1942, and rose to 98.3 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with aggravated assault following in second place, and the two offense groups together accounting for 36.1 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 69.2 percent of all defendants disposed of for major offenses were convicted. The per-

centage of defendants convicted decreased from 72.2 in 1939 to 65.1 in 1943. In 1943, 59.0 percent of all defendants entered a plea of guilty, whereas only 4.0 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 51.7 percent were sentenced to a prison or reformatory. The percentages for 1941 and 1943 fell below this figure, and the percentages for the remaining years were somewhat higher. Of all defendants convicted of major offenses during these 5 years, 33.9 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 31 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 30 counties, 97.3 percent; 1942, 1941, and 1940, all counties, 100.0 percent; 1939, 30 counties, 98.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ²	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	720	641	974	969	1,008	151.0	123.1	185.6	182.2	196.6
Murder.....	20	25	23	27	18	4.2	4.8	4.4	5.1	3.5
Manslaughter.....	11	20	29	23	23	2.3	3.8	5.5	4.3	4.5
Robbery.....	34	10	33	32	23	7.1	1.9	6.3	6.0	4.5
Aggravated assault.....	79	92	114	100	115	16.6	17.7	21.7	18.8	22.4
Burglary.....	68	30	79	90	98	14.3	5.8	15.1	16.9	19.1
Larceny, except auto theft.....	181	182	271	296	343	38.0	34.9	51.6	55.7	66.9
Auto theft.....	25	26	55	43	43	5.2	5.0	10.5	8.1	8.4
Embezzlement and fraud.....	56	46	78	79	83	11.7	8.8	14.9	14.9	16.2
Stolen property, receiving, etc.....	9	14	24	28	25	1.9	2.7	4.6	5.3	4.5
Forgery and counterfeiting.....	77	69	118	127	107	16.1	13.2	22.5	23.9	20.9
Rape.....	50	49	63	40	52	10.5	9.4	12.0	7.5	10.1
Other major offenses.....	110	78	87	84	78	23.1	15.0	18.6	15.8	16.2
DEFENDANTS CONVICTED										
Total.....	469	435	665	685	728	98.3	83.5	126.7	128.8	142.0
Murder.....	12	16	12	18	13	2.5	3.1	2.3	3.4	2.5
Manslaughter.....	7	12	18	18	12	1.5	2.3	3.4	3.4	2.3
Robbery.....	22	8	22	27	17	4.6	1.5	4.2	5.1	3.3
Aggravated assault.....	42	57	62	52	54	8.8	10.9	11.8	9.8	10.5
Burglary.....	49	23	63	78	79	10.3	4.4	12.0	14.7	15.4
Larceny, except auto theft.....	140	140	195	199	271	29.4	26.9	37.2	37.4	52.3
Auto theft.....	25	24	48	37	34	5.2	4.6	9.1	7.0	6.6
Embezzlement and fraud.....	26	25	46	56	56	5.5	4.8	8.8	10.5	10.9
Stolen property, receiving, etc.....	7	9	20	17	17	1.5	1.7	3.8	3.2	3.3
Forgery and counterfeiting.....	54	45	94	101	91	11.3	8.6	17.9	19.0	17.7
Rape.....	17	24	40	25	34	3.6	4.6	7.6	4.7	6.6
Other major offenses.....	68	52	45	57	50	14.3	10.0	8.6	10.7	9.8

¹ Based on estimate of civilian population for counties reporting.
² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.
³ Based on Population census of 1940.
⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--NEW MEXICO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	720	100.0	641	100.0	974	100.0	969	100.0	1,008	100.0
Disposed of without conviction.....	251	34.9	206	32.1	309	31.7	284	29.3	280	27.8
Dismissed.....	215	29.9	158	24.6	242	24.8	223	23.0	237	23.5
Acquitted by court (jury waived).....	8	1.1	1	0.2	5	0.5	9	0.9	4	0.4
Acquitted by jury.....	26	3.6	39	6.1	53	5.4	36	3.7	39	3.8
Other no-penalty disposition.....	2	0.3	8	1.2	9	0.9	16	1.7	-	-
Convicted and sentenced.....	469	65.1	435	67.9	665	68.3	685	70.7	728	72.2
Plead guilty.....	425	59.0	374	58.3	569	58.4	615	63.5	661	65.5
Found guilty by court (jury waived).....	15	2.1	14	2.2	36	3.7	25	2.6	5	0.5
Found guilty by jury.....	29	4.0	47	7.3	60	6.2	45	4.6	62	6.1

¹ Includes one plea of nolo contendere for carrying, etc., weapons.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	469	100.0	435	100.0	665	100.0	685	100.0	728	100.0
Death penalty.....	1	0.2	-	-	1	0.2	-	-	1	0.1
Prison or reformatory.....	227	48.4	236	54.3	342	51.4	360	52.6	377	51.6
Probation or suspended sentence.....	139	29.6	131	30.1	229	34.4	237	34.6	276	37.9
House of correction.....	29	6.2	26	6.0	45	6.8	47	6.9	40	5.5
Fine or costs only.....	24	5.1	18	4.1	25	3.8	13	1.9	24	3.3
Institution for juvenile delinquents only..	47	10.0	20	4.6	23	3.5	28	4.1	10	1.4
Other sentence.....	2	0.4	4	0.9	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹									By jury
All offenses.....	1,172	408	354	9	35	10	764	699	29	36	764	1	245	238	65	143	64	8
Major offenses.....	720	251	215	8	26	2	469	425	15	29	469	1	227	139	29	24	47	2
Murder.....	20	8	1	-	7	-	12	8	-	4	12	1	9	-	-	-	2	-
Manslaughter.....	11	4	2	1	1	-	7	6	-	1	7	-	6	1	-	-	-	-
Robbery.....	34	12	9	-	3	-	22	22	-	-	22	-	16	5	1	-	-	-
Aggravated assault.....	79	37	33	-	4	-	42	36	3	3	42	-	15	15	7	5	-	-
Burglary.....	66	19	18	-	1	-	49	47	2	-	49	-	24	11	-	2	12	-
Larceny, except auto theft..	181	41	38	1	2	-	140	130	5	5	140	-	69	46	5	10	9	-
Auto theft.....	25	-	-	-	-	-	25	25	-	-	25	-	11	6	1	-	7	-
Embezzlement and fraud.....	56	30	28	1	1	-	26	25	-	1	26	-	19	6	1	-	-	-
Stolen property, receiving, etc.....	9	2	2	-	-	-	7	7	-	-	7	-	3	3	1	-	-	-
Forgery and counterfeiting..	77	23	23	-	-	-	54	51	1	2	54	-	24	21	-	1	7	1
Rape.....	50	33	24	5	4	-	17	11	2	4	17	-	11	3	-	-	8	-
Commercialized vice.....	25	6	6	-	-	-	19	18	-	1	19	-	3	8	7	1	-	-
Other sex offenses.....	34	11	11	-	-	-	23	20	2	1	23	-	9	7	-	1	6	-
Violating drug laws.....	4	2	2	-	-	-	2	1	-	1	2	-	2	-	-	-	-	-
Carrying, etc., weapons.....	28	11	10	-	1	-	17	12	-	5	17	-	2	6	5	4	-	-
Other major offenses.....	19	12	8	-	2	2	7	6	-	1	7	-	4	1	1	-	1	-
Abortion.....	3	3	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Adultery.....	5	2	-	-	2	-	3	2	-	1	3	-	2	-	1	-	-	-
Perjury.....	3	-	-	-	-	-	3	3	-	-	3	-	2	1	-	-	-	-
Escape and jail break.....	6	6	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Alcoholism.....	1	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	-	-	1	-
Minor offenses ²	452	157	139	1	9	8	295	274	14	7	295	-	18	99	36	119	17	6

¹ Jury waived.

² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

NEW YORK

A total of 6,829 defendants were disposed of for major offenses in the county trial courts (including the 5 counties that are boroughs of New York City) during the calendar year 1943, according to reports received from the New York State Department of Correction by the Bureau of the Census. Of these 6,829 defendants, 5,076, or 74.3 percent, were convicted and sentenced; and 1,753, or 25.7 percent, of the defendants convicted and sentenced were sent to a prison or reformatory. Of the 6,829 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 3,629, or 78.0 percent, were convicted; and of the 1,276 persons disposed of for major crimes against a person (murder, manslaughter, aggravated assault, and rape) 844, or 66.1 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population showed a downward trend, with the exception of 1940, from 76.0 in 1939 to 54.9 in 1943. The rate for defendants convicted of major offenses decreased from 59.3 in 1939 to 40.8 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 46.1 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 75.2 percent of all defendants disposed of for major offenses were convicted. In 1939, 78.0 percent of the defendants were convicted; in

1940, 72.6 percent; in 1941, 75.3 percent; in 1942, 75.5 percent; and in 1943, 74.3 percent. (See table 2.) Data showing procedural outcome for defendants convicted are not available for New York.

Of all defendants convicted of major offense during the past 5 years, 41.3 percent were sentenced to a prison or reformatory. The percentage for 1940 and 1941 fell below this figure, and the percentages for 1939 and 1943 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 35.4 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

Statistics for all years except 1939 based on reports for all of the 62 counties of the State. Statistics for 1939 based on complete reports from 57 counties and partial reports from the remaining 5 counties; these reports together covered approximately 99.0 percent of the 1940 population of the State. Rate not shown where less than 0.1)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	6,829	8,779	9,432	10,797	10,153	54.9	68.2	72.0	80.1	76.0
Murder.....	97	141	114	146	106	0.8	1.1	0.9	1.1	0.8
Manslaughter.....	168	182	229	210	222	1.4	1.4	1.7	1.6	1.7
Robbery.....	605	799	818	1,179	947	4.9	6.2	6.2	8.7	7.1
Aggravated assault.....	660	900	737	787	816	5.3	7.0	5.6	5.8	6.1
Burglary.....	1,159	1,447	1,817	2,359	2,413	9.3	11.2	13.9	17.5	18.1
Larceny, except auto theft.....	1,988	2,713	2,485	2,799	2,375	16.0	21.1	19.0	20.8	17.8
Auto theft.....	560	733	778	789	732	4.5	5.7	5.9	5.9	5.5
Embezzlement and fraud.....	12	3	20	30	17	0.1	-	0.2	0.2	0.1
Stolen property, receiving, etc.....	115	157	174	221	177	0.9	1.2	1.3	1.6	1.3
Forgery and counterfeiting.....	216	225	357	505	408	1.7	1.7	2.7	3.7	3.1
Rape.....	351	339	367	433	437	2.8	2.6	2.8	3.2	3.3
Other major offenses.....	898	1,140	1,536	1,339	1,503	7.2	8.9	11.7	9.9	11.2
DEFENDANTS CONVICTED										
Total.....	5,076	6,627	7,102	7,834	7,924	40.8	51.5	54.2	58.1	59.3
Murder.....	76	88	65	85	61	0.6	0.7	0.5	0.6	0.5
Manslaughter.....	117	117	163	149	139	0.9	0.9	1.2	1.1	1.0
Robbery.....	375	587	579	700	691	3.0	4.6	4.4	5.2	5.2
Aggravated assault.....	434	622	526	484	568	3.5	4.8	4.0	3.6	4.3
Burglary.....	837	1,134	1,448	1,883	2,058	6.9	8.8	11.1	14.0	15.4
Larceny, except auto theft.....	1,728	2,262	2,190	2,294	2,026	13.9	17.6	16.7	17.0	15.2
Auto theft.....	460	610	659	665	623	3.7	4.7	5.0	4.9	4.7
Embezzlement and fraud.....	5	1	14	10	5	-	-	0.1	0.1	-
Stolen property, receiving, etc.....	58	83	96	114	85	0.5	0.6	0.7	0.8	0.6
Forgery and counterfeiting.....	146	152	284	366	327	1.2	1.2	2.2	2.7	2.4
Rape.....	217	200	239	243	294	1.7	1.6	1.8	1.8	2.2
Other major offenses.....	603	771	839	841	1,047	4.8	6.0	6.4	6.2	7.8

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of population covered by the reports.

JUDICIAL CRIMINAL STATISTICS--NEW YORK

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	6,829	100.0	8,779	100.0	9,432	100.0	10,797	100.0	10,153	100.0
Disposed of without conviction.....	1,753	25.7	2,152	24.5	2,380	24.7	2,963	27.4	2,229	22.0
Dismissed.....	1,320	19.3	1,689	19.2	1,780	18.3	1,413	13.1	1,332	13.1
Acquitted by court (jury waived) ¹	-	-	-	-	-	-	-	-	-	-
Acquitted by jury.....	209	3.1	246	2.8	311	3.3	510	4.7	573	5.6
Other no-penalty disposition.....	224	3.3	217	2.5	289	3.1	1,040	9.6	324	3.2
Convicted and sentenced.....	5,076	74.3	6,627	75.5	7,102	75.3	7,834	72.6	7,924	78.0
Fleaded guilty.....	-	-	-	-	-	-	-	-	-	-
Found guilty by court (jury waived) ¹	-	-	-	-	-	-	-	-	-	-
Found guilty by jury.....	-	-	-	-	-	-	-	-	-	-

¹ Item not applicable for this State.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

[Percent not shown where less than 0.1]

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	5,076	100.0	6,627	100.0	7,102	100.0	7,834	100.0	7,924	100.0
Death penalty.....	29	0.6	18	0.3	21	0.3	24	0.3	23	0.3
Prison or reformatory.....	2,104	41.4	2,750	41.5	2,865	40.3	3,203	40.9	3,338	42.1
Probation or suspended sentence.....	1,755	34.6	2,367	35.7	2,494	35.1	2,845	36.3	2,772	35.0
Local jail or workhouse.....	1,027	20.2	1,454	21.9	1,659	23.4	1,719	21.9	1,729	21.8
Fine or costs only.....	159	3.1	32	0.5	45	0.6	29	0.4	55	0.7
Institution for juvenile delinquents only..	-	-	-	-	-	-	-	-	-	-
Other sentence.....	2	-	6	0.1	18	0.3	14	0.2	7	0.1

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	8,237	2,087	1,622	-	219	246	6,150	25,679	-	2,471	6,150	29	2,168	2,300	1,428	223	-	2	
Major offenses.....	6,829	1,753	1,320	-	209	224	5,076	-	-	-	5,076	29	2,104	1,755	1,027	159	-	2	
Murder.....	97	21	15	-	3	3	76	-	-	-	76	29	46	1	-	-	-	-	
Manslaughter.....	168	51	33	-	16	2	117	-	-	-	117	-	102	10	5	-	-	-	
Robbery.....	605	230	171	-	32	27	375	-	-	-	375	-	337	29	9	-	-	-	
Aggravated assault.....	660	226	130	-	50	46	434	-	-	-	434	-	228	92	104	10	-	-	
Burglary.....	1,159	302	246	-	15	41	857	-	-	-	857	-	362	326	157	11	-	1	
Larceny, except auto theft..	1,988	260	202	-	30	28	1,728	-	-	-	1,728	-	445	744	452	86	-	1	
Auto theft.....	560	100	74	-	5	21	460	-	-	-	460	-	143	217	88	12	-	-	
Embezzlement and fraud.....	12	7	7	-	-	-	5	-	-	-	5	-	1	2	2	-	-	-	
Stolen property, receiving, etc.....	115	57	42	-	4	11	58	-	-	-	58	-	19	24	11	4	-	-	
Forgery and counterfeiting..	216	70	66	-	2	2	146	-	-	-	146	-	62	52	20	12	-	-	
Rape.....	351	134	98	-	14	22	217	-	-	-	217	-	114	63	40	-	-	-	
Commercialized vice.....	13	1	1	-	-	-	12	-	-	-	12	-	5	4	3	-	-	-	
Other sex offenses.....	235	62	46	-	12	4	173	-	-	-	173	-	105	40	26	2	-	-	
Violating drug laws.....	22	5	3	-	1	1	17	-	-	-	17	-	7	2	8	-	-	-	
Carrying, etc., weapons.....	261	59	49	-	2	8	202	-	-	-	202	-	36	77	78	11	-	-	
Other major offenses ²	367	168	137	-	23	8	199	-	-	-	199	-	92	72	24	11	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ³	1,403	334	302	-	10	22	1,074	-	-	-	1,074	-	64	545	401	64	-	-	

¹ Item not applicable for this State.² Classification by offense not available.³ This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

NORTH DAKOTA

A total of 253 defendants were disposed of for major offenses in the district courts of North Dakota during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 253 defendants, 202, or 79.8 percent, were convicted and sentenced; and 89, or 44.1 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 153 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 129, or 84.3 percent, were convicted; and of the 36 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 23 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 92.6 in 1939 to 47.2 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 80.1 in 1939 to 37.7 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with auto theft following in second place, and the two offense groups together accounting for 34.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 86.1 percent of all defendants disposed of for major crimes were convicted. In 1939, 86.5 percent of the defendants were convicted; in 1940, 88.6 percent; in 1941, 85.0 percent; in 1942,

87.9 percent; and in 1943, 79.8 percent. In 1943, 78.7 percent of all defendants entered a plea of guilty, whereas only 0.8 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 53.9 percent were sentenced to a State prison or reformatory. The percentage for 1940 was higher than this figure, and the percentages for the remaining years were somewhat lower. Only 15 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 53 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943 and 1942, all counties, 100.0 percent; 1941, 51 counties, 97.3 percent; 1940, 45 counties, 88.0 percent; 1939, 52 counties, 98.5 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	253	364	413	481	584	47.2	61.4	69.3	84.2	92.6
Murder.....	-	4	4	3	4	-	0.7	0.7	0.5	0.6
Manslaughter.....	4	6	8	3	5	0.7	1.0	1.3	0.5	0.8
Robbery.....	7	11	8	11	17	1.3	1.9	1.3	1.9	2.7
Aggravated assault.....	16	17	10	18	23	3.0	2.9	1.7	3.2	3.6
Burglary.....	18	45	57	90	98	3.4	7.6	9.6	15.8	15.5
Larceny, except auto theft.....	66	119	130	131	189	12.3	20.1	21.8	23.0	30.0
Auto theft.....	21	8	27	16	27	3.9	1.3	4.5	2.8	4.3
Embezzlement and fraud.....	17	33	35	54	46	3.2	5.6	5.9	9.5	7.3
Stolen property, receiving, etc.....	5	6	3	8	13	0.9	1.0	0.5	1.4	2.1
Forgery and counterfeiting.....	19	43	46	44	35	3.5	7.3	7.7	7.7	5.5
Rape.....	16	26	28	25	47	3.0	4.4	4.7	4.4	7.5
Other major offenses.....	64	46	57	78	80	11.9	7.8	9.6	13.7	12.7
DEFENDANTS CONVICTED										
Total.....	202	320	351	426	505	37.7	54.0	58.9	74.6	80.1
Murder.....	-	3	3	2	3	-	0.5	0.5	0.4	0.5
Manslaughter.....	2	5	8	3	5	0.4	0.8	1.3	0.5	0.8
Robbery.....	4	11	6	10	16	0.7	1.9	1.0	1.8	2.5
Aggravated assault.....	11	17	10	14	11	2.1	2.9	1.7	2.5	1.7
Burglary.....	14	42	50	89	93	2.6	7.1	8.4	15.6	14.7
Larceny, except auto theft.....	57	108	109	122	169	10.6	18.2	18.3	21.4	26.8
Auto theft.....	18	8	22	15	27	3.4	1.3	3.7	2.6	4.3
Embezzlement and fraud.....	15	27	27	47	40	2.8	4.6	4.5	8.2	6.3
Stolen property, receiving, etc.....	4	5	3	7	12	0.7	0.8	0.5	1.2	1.9
Forgery and counterfeiting.....	17	41	43	42	32	3.2	6.9	7.2	7.4	5.1
Rape.....	10	22	22	20	26	1.9	3.7	3.7	3.5	4.1
Other major offenses.....	50	31	48	55	71	9.3	5.2	8.1	9.6	11.3

¹ Based on estimate of civilian population of the State.

² Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940 for counties reporting.

⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--NORTH DAKOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	253	100.0	364	100.0	413	100.0	481	100.0	584	100.0
Disposed of without conviction.....	51	20.2	44	12.1	62	15.0	55	11.4	79	13.5
Dismissed.....	46	18.2	30	8.2	54	13.0	42	8.7	60	10.3
Acquitted by court (jury waived).....	1	0.4	4	1.1	-	-	2	0.4	1	0.2
Acquitted by jury.....	-	-	5	1.4	4	1.0	9	1.9	9	1.5
Other no-penalty disposition.....	4	1.6	5	1.4	4	1.0	2	0.4	9	1.5
Convicted and sentenced.....	202	79.8	320	87.9	351	85.0	426	88.6	505	86.5
Pleaded guilty.....	199	78.7	306	84.1	339	82.1	400	83.2	480	82.2
Found guilty by court (jury waived).....	1	0.4	2	0.5	2	0.5	-	-	3	0.5
Found guilty by jury.....	2	0.8	12	3.3	10	2.4	26	5.4	22	3.8

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	202	100.0	320	100.0	351	100.0	426	100.0	505	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	89	44.1	169	52.8	183	52.1	262	61.5	270	53.5
Probation or suspended sentence.....	46	22.8	50	15.6	59	16.8	50	11.7	71	14.1
Local jail or workhouse.....	52	25.7	59	18.4	76	21.7	77	18.1	108	21.4
Fine or costs only.....	8	4.0	16	5.0	10	2.8	8	1.9	22	4.4
Institution for juvenile delinquents only..	7	3.5	26	8.1	28	6.6	29	6.8	34	6.7
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	572	102	90	1	1	10	470	467	1	2	470	-	100	158	133	71	7	-
Major offenses.....	253	51	46	1	-	4	202	199	1	2	202	-	89	46	52	8	7	-
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter.....	4	2	2	-	-	-	2	1	-	1	2	-	2	-	-	-	-	-
Robbery.....	7	3	3	-	-	-	4	4	-	-	4	-	4	-	-	-	-	-
Aggravated assault.....	16	5	4	1	-	-	11	11	-	-	11	-	7	-	2	2	-	-
Burglary.....	18	4	4	-	-	-	14	14	-	-	14	-	11	2	-	-	1	-
Larceny, except auto theft..	66	9	9	-	-	-	57	56	1	-	57	-	15	24	14	1	3	-
Auto theft.....	21	3	3	-	-	-	18	18	-	-	18	-	11	5	-	-	2	-
Embezzlement and fraud.....	17	2	2	-	-	-	15	15	-	-	15	-	6	1	7	1	-	-
Stolen property, receiving, etc.....	5	1	1	-	-	-	4	4	-	-	4	-	2	2	-	-	-	-
Forgery and counterfeiting..	19	2	2	-	-	-	17	17	-	-	17	-	8	3	5	1	-	-
Rape.....	16	6	4	-	-	2	10	9	-	1	10	-	9	-	-	1	-	-
Commercialized vice.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	-	1	-	-
Other sex offenses.....	40	11	11	-	-	-	29	29	-	-	29	-	5	6	16	2	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	5	-	-	-	-	-	5	5	-	-	5	-	2	1	1	1	-	-
Other major offenses.....	18	3	1	-	-	2	15	15	-	-	15	-	7	2	5	-	1	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	12	-	-	-	-	-	12	12	-	-	12	-	5	1	5	-	1	-
Kidnaping.....	3	2	-	-	-	2	1	1	-	-	1	-	1	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-
Minor offenses ²	319	51	44	-	1	6	268	268	-	-	268	-	11	112	81	63	-	-

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

OHIO

A total of 3,236 defendants were disposed of for major offenses in the common pleas courts of Ohio during the calendar year 1943, according to reports received from the office of the Secretary of State of Ohio by the Bureau of the Census. Of these 3,236 defendants, 2,623, or 81.1 percent, were convicted and sentenced; and 1,246, or 47.5 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 2,325 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 1,958, or 84.2 percent, were convicted; and of the 569 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 394, or 69.2 percent, were convicted.

The number of defendants disposed of for major offense per 100,000 of the population decreased from 80.2 in 1939 to 51.7 in 1943. The rate for defendants convicted followed the same general trend, decreasing from 66.8 in 1939 to 41.9 in 1943. More defendants were disposed of for burglary than for any other offense during 1943, with robbery following in second place, and the two offense groups together accounting for 35.0 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 82.1 percent of all defendants disposed of for major offenses were convicted. In 1939, 83.3 percent of the defendants were convicted; in 1940, 83.7 percent; in 1941, 83.2 percent; in 1942, 78.3 percent; and in 1943, 81.1 percent. In 1943, 68.6

percent of all defendants entered a plea of guilty, whereas only 6.4 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 46.1 percent were sentenced to a State prison or reformatory. The percentages for 1940 and 1943 were higher than this figure, and the percentages for 1939, 1941, and 1942 were somewhat lower. Of all defendants convicted of major offenses during these 5 years, 42.9 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 88 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 71 counties, 91.6 percent; 1942, 87 counties, 99.8 percent; 1941, 1940, and 1939, all counties, 100.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	3,236	4,079	4,515	5,320	5,536	51.7	59.0	65.2	77.0	80.2
Murder.....	75	70	58	73	72	1.2	1.0	0.8	1.1	1.0
Manslaughter.....	128	179	193	181	175	2.0	2.6	2.8	2.6	2.5
Robbery.....	410	454	452	592	602	6.6	6.6	6.5	8.6	8.7
Aggravated assault.....	235	258	234	271	262	3.8	3.7	3.4	3.9	3.8
Burglary.....	723	969	1,080	1,473	1,497	11.6	14.0	15.6	21.3	21.7
Larceny, except auto theft.....	403	528	634	692	775	6.4	7.6	9.2	10.0	11.2
Auto theft.....	376	483	499	540	524	6.0	7.0	7.2	7.8	7.6
Embezzlement and fraud.....	140	214	301	318	313	2.2	3.1	4.3	4.6	4.5
Stolen property, receiving, etc.....	72	87	76	106	163	1.2	1.3	1.1	1.5	2.4
Forgery and counterfeiting.....	201	314	399	504	479	3.2	4.5	5.8	7.3	6.9
Rape.....	131	153	157	150	183	2.1	2.2	2.3	2.2	2.7
Other major offenses.....	342	370	432	420	491	5.5	5.3	6.2	6.1	7.1
DEFENDANTS CONVICTED										
Total.....	2,623	3,194	3,755	4,453	4,611	41.9	46.2	54.3	64.5	66.8
Murder.....	46	41	36	52	50	0.7	0.6	0.5	0.8	0.7
Manslaughter.....	91	132	161	142	132	1.5	1.9	2.3	2.1	1.9
Robbery.....	332	372	356	499	494	5.3	5.4	5.1	7.2	7.2
Aggravated assault.....	176	184	179	210	199	2.8	2.7	2.6	3.0	2.9
Burglary.....	621	785	955	1,290	1,341	9.9	11.3	13.8	18.7	19.4
Larceny, except auto theft.....	347	443	548	618	677	5.5	6.4	7.9	8.9	9.8
Auto theft.....	322	395	444	486	454	5.1	5.7	6.4	7.0	6.6
Embezzlement and fraud.....	114	143	199	217	215	1.8	2.1	2.9	3.1	3.1
Stolen property, receiving, etc.....	60	67	66	85	135	1.0	1.0	1.0	1.2	2.0
Forgery and counterfeiting.....	162	237	336	408	382	2.6	3.4	4.9	5.9	5.5
Rape.....	61	104	121	102	135	1.3	1.5	1.7	1.5	2.0
Other major offenses.....	271	291	354	344	397	4.3	4.2	5.1	5.0	5.8

¹ Based on estimate of civilian population for counties reporting.

² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--OHIO

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,236	100.0	4,079	100.0	4,515	100.0	5,320	100.0	5,536	100.0
Disposed of without conviction.....	613	18.9	885	21.7	760	16.8	867	16.3	925	16.7
Dismissed.....	390	12.1	652	16.0	528	11.7	620	11.7	668	12.1
Acquitted by court (jury waived).....	79	2.4	75	1.8	97	2.1	82	1.5	93	1.7
Acquitted by jury.....	87	2.7	103	2.5	111	2.5	117	2.2	123	2.2
Other no-penalty disposition.....	57	1.8	55	1.3	24	0.5	48	0.9	41	0.7
Convicted and sentenced.....	2,623	81.1	3,194	78.3	3,755	83.2	4,453	83.7	4,611	83.3
Pleading guilty.....	2,220	68.6	2,736	67.1	3,235	71.7	3,959	74.4	4,070	73.5
Found guilty by court (jury waived).....	196	6.1	194	4.8	217	4.8	223	4.2	236	4.3
Found guilty by jury.....	207	6.4	264	6.5	303	6.7	271	5.1	305	5.5

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

(Percent not shown where less than 0.1)

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	2,623	100.0	3,194	100.0	3,755	100.0	4,453	100.0	4,611	100.0
Death penalty.....	6	0.2	2	0.1	2	0.1	7	0.2	1	-
Prison or reformatory.....	1,246	47.5	1,454	45.5	1,721	45.8	2,083	46.8	2,093	45.4
Probation or suspended sentence.....	1,105	42.1	1,443	45.2	1,573	41.9	1,880	42.2	2,001	43.4
Local jail or workhouse.....	189	7.2	225	7.0	301	8.0	295	6.6	379	8.2
Fine or costs only.....	77	2.9	69	2.2	158	4.2	188	4.2	137	3.0
Institution for juvenile delinquents only..	-	-	1	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Plead guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	4,199	857	584	98	95	80	3,342	2,838	259	245	3,342	6	1,278	1,387	339	332	-	-
Major offenses.....	3,236	613	390	79	87	57	2,623	2,220	196	207	2,623	6	1,246	1,105	189	77	-	-
Murder.....	75	29	7	3	13	6	46	16	8	22	46	6	38	2	-	-	-	-
Manslaughter.....	128	37	15	5	16	1	91	65	5	21	91	-	51	37	2	1	-	-
Robbery.....	410	78	41	16	14	7	332	257	39	36	332	-	239	88	4	1	-	-
Aggravated assault.....	235	59	36	7	13	3	176	128	26	22	176	-	60	97	10	9	-	-
Burglary.....	723	102	76	8	6	12	621	549	32	40	621	-	336	275	8	2	-	-
Larceny, except auto theft..	403	56	42	4	5	5	347	300	26	21	347	-	111	150	66	20	-	-
Auto theft.....	376	54	46	1	-	7	322	300	18	4	322	-	139	178	2	3	-	-
Embezzlement and fraud.....	140	26	24	2	-	-	114	102	4	8	114	-	37	63	13	1	-	-
Stolen property, receiving, etc.....	72	12	7	3	2	-	60	53	2	5	60	-	14	34	8	4	-	-
Forgery and counterfeiting..	201	39	33	2	-	4	162	155	4	3	162	-	79	76	4	3	-	-
Rape.....	131	50	22	16	11	1	81	57	12	12	81	-	58	13	8	2	-	-
Commercialized vice.....	19	5	-	3	2	-	14	14	-	-	14	-	2	1	5	6	-	-
Other sex offenses.....	96	19	7	4	3	5	77	59	12	6	77	-	51	17	4	5	-	-
Violating drug laws.....	42	4	4	-	-	-	38	36	-	2	38	-	9	9	12	8	-	-
Carrying, etc., weapons.....	127	20	14	2	1	3	107	101	5	1	107	-	13	45	40	9	-	-
Other major offenses.....	58	23	16	3	1	3	35	28	3	4	35	-	9	20	3	3	-	-
Abortion.....	5	2	1	-	1	-	3	2	1	-	3	-	-	3	-	-	-	-
Arson.....	14	6	3	-	-	3	8	6	1	1	8	-	4	4	-	-	-	-
Bribery.....	11	1	1	-	-	-	10	8	1	1	10	-	1	9	-	-	-	-
Blackmail and extortion.....	8	6	4	2	-	-	2	2	-	-	2	-	1	-	-	1	-	-
Escape and jail break.....	8	2	2	-	-	-	6	5	-	1	6	-	1	-	3	2	-	-
Kidnaping.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	10	4	3	1	-	-	6	5	-	1	6	-	2	4	-	-	-	-
Minor offenses ^a	963	244	194	19	8	23	719	618	63	38	719	-	32	282	150	255	-	-

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

OREGON

A total of 608 defendants were disposed of for major offenses in the circuit courts of Oregon during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 608 defendants, 487, or 80.1 percent, were convicted and sentenced; and 249, or 51.1 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 432 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 358, or 82.9 percent, were convicted; and of the 95 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 66, or 69.5 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 119.5 in 1939 to 78.9 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 99.2 in 1939 to 63.2 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with forgery and counterfeiting following in second place, and the two offense groups together accounting for 41.0 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 84.0 percent of all defendants disposed of for major crimes were convicted. In 1939, 83.0 percent of the defendants were convicted; in 1940, 87.5 percent; in 1941, 81.8 percent; in 1942, 87.0

percent; and in 1943, 80.1 percent. In 1943, 72.0 percent of all defendants entered a plea of guilty, whereas only 4.4 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 49.5 percent were sentenced to a State prison or reformatory. The percentages for 1940, 1942, and 1943 were higher than this figure, and the percentages for the remaining years were somewhat lower. Of all defendants convicted of major offenses during these 5 years, 35.6 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
[Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 36 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 24 counties, 65.7 percent; 1942, 31 counties, 63.2 percent; 1941, 35 counties, 99.7 percent; 1940, 36 counties, 100.0 percent; 1939, 32 counties, 88.0 percent]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	608	578	1,048	1,115	1,136	78.9	85.9	97.9	102.3	119.5
Murder.....	17	7	15	10	4	2.2	1.0	1.4	0.9	0.4
Manslaughter.....	4	14	35	17	21	0.5	2.1	3.3	1.6	2.2
Robbery.....	14	8	25	30	40	1.8	1.2	2.3	2.8	4.2
Aggravated assault.....	42	38	68	36	52	5.5	5.6	6.4	3.3	5.5
Burglary.....	61	54	146	185	187	7.9	8.0	13.6	17.0	19.7
Larceny, except auto theft.....	154	161	237	263	351	20.0	23.9	22.1	24.1	37.0
Auto theft.....	44	56	75	91	76	5.7	8.3	7.0	8.4	8.0
Embezzlement and fraud.....	40	52	132	153	127	5.2	7.7	12.3	14.0	13.4
Stolen property, receiving, etc.....	24	15	23	34	25	3.1	2.2	2.1	3.1	2.6
Forgery and counterfeiting.....	95	87	143	161	120	12.3	12.9	13.4	14.8	12.6
Rape.....	32	31	48	43	35	4.2	4.6	4.5	3.9	3.7
Other major offenses.....	81	55	101	92	98	10.5	8.2	9.4	8.4	10.3
DEFENDANTS CONVICTED										
Total.....	487	503	857	976	943	63.2	74.8	80.0	89.6	99.2
Murder.....	9	6	13	8	2	1.2	0.9	1.2	0.7	0.2
Manslaughter.....	2	13	11	10	12	0.3	1.9	1.0	0.9	1.3
Robbery.....	13	8	23	25	36	1.7	1.2	2.1	2.3	3.8
Aggravated assault.....	32	28	51	29	38	4.2	3.9	4.8	2.7	4.0
Burglary.....	53	49	126	166	166	6.9	7.3	11.8	15.2	17.5
Larceny, except auto theft.....	19	142	201	237	289	15.4	21.1	18.8	21.7	30.4
Auto theft.....	42	53	61	81	73	5.5	7.9	5.7	7.4	7.7
Embezzlement and fraud.....	32	49	105	139	106	4.2	7.3	9.8	12.8	11.2
Stolen property, receiving, etc.....	20	12	20	31	19	2.6	1.8	1.9	2.8	2.0
Forgery and counterfeiting.....	79	80	129	146	93	10.3	11.9	12.0	13.4	9.8
Rape.....	23	21	34	28	29	3.0	3.1	3.2	2.6	3.1
Other major offenses.....	63	44	83	76	80	8.2	6.5	7.8	7.0	8.4

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--OREGON

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	608	100.0	578	100.0	1,048	100.0	1,115	100.0	1,136	100.0
Disposed of without conviction.....	121	19.9	75	13.0	191	18.2	139	12.5	193	17.0
Dismissed.....	84	13.8	49	8.5	154	14.7	106	9.5	150	13.2
Acquitted by court (jury waived).....	6	1.0	4	0.7	1	0.1	1	0.1	3	0.3
Acquitted by jury.....	21	3.5	16	2.8	29	2.8	25	2.2	32	2.8
Other no-penalty disposition.....	10	1.6	6	1.0	7	0.7	7	0.6	8	0.7
Convicted and sentenced.....	487	80.1	503	87.0	857	81.8	976	87.5	943	82.7
Pleaded guilty.....	438	72.0	467	80.8	769	73.4	904	81.1	891	78.4
Found guilty by court (jury waived).....	22	3.6	6	1.0	15	1.4	7	0.6	7	0.6
Found guilty by jury.....	27	4.4	30	5.2	73	7.0	65	5.8	45	4.0

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	487	100.0	503	100.0	857	100.0	976	100.0	943	100.0
Death penalty.....	2	0.4	-	-	2	0.2	2	0.2	-	-
Prison or reformatory.....	249	51.1	259	51.5	416	48.5	502	51.4	427	45.4
Probation or suspended sentence.....	182	37.4	187	37.2	305	35.6	326	33.4	342	36.3
Local jail or workhouse.....	35	7.2	40	8.0	102	11.9	132	13.5	145	15.4
Fine or costs only.....	18	3.7	13	2.6	25	2.9	12	1.2	8	0.8
Institution for juvenile delinquents only..	1	0.2	4	0.8	5	0.6	2	0.2	9	1.0
Other sentence.....	-	-	-	-	2	0.2	-	-	2	0.2

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	855	164	114	6	29	15	691	625	30	36	691	2	266	245	53	124	1	-
Major offenses.....	608	121	84	6	21	10	487	438	22	27	487	2	249	182	35	18	1	-
Murder.....	17	8	2	-	4	2	9	3	-	6	9	2	7	-	-	-	-	-
Manslaughter.....	4	2	-	-	2	-	2	1	-	1	2	-	1	1	-	-	-	-
Robbery.....	14	1	-	-	1	-	13	13	-	-	13	-	8	5	-	-	-	-
Aggravated assault.....	42	10	6	1	3	-	36	21	4	7	32	-	15	9	8	5	-	-
Burglary.....	61	8	7	-	-	1	53	51	1	1	53	-	28	25	-	-	-	-
Larceny, except auto theft..	154	35	30	2	1	2	119	110	7	2	119	-	68	44	4	3	-	-
Auto theft.....	44	2	1	-	1	-	42	39	1	2	42	-	15	16	8	3	-	-
Enticement and fraud.....	40	8	8	-	-	-	32	31	-	1	32	-	12	17	2	1	-	-
Stolen property, receiving, etc.....	24	4	4	-	-	-	20	19	-	1	20	-	9	7	3	1	-	-
Forgery and counterfeiting..	95	16	12	1	1	2	79	72	5	2	79	-	43	32	4	-	-	-
Rape.....	32	5	3	1	3	2	23	18	2	3	23	-	15	7	-	-	1	-
Commercialized vice.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	60	12	9	1	1	1	48	47	-	1	48	-	22	15	9	2	-	-
Violating drug laws.....	4	-	-	-	-	-	4	3	1	-	4	-	-	-	1	3	-	-
Carrying, etc., weapons.....	3	2	-	-	2	-	1	1	-	-	1	-	-	1	-	-	-	-
Other major offenses.....	12	2	-	-	2	-	10	9	1	-	10	-	6	3	1	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	3	1	-	-	1	-	2	2	-	-	2	-	2	-	-	-	-	-
Riots.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	-	-	-	-	5	4	1	-	5	-	2	3	-	-	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Perjury.....	2	1	-	-	1	-	1	1	-	-	1	-	-	-	1	-	-	-
Minor offenses ²	247	43	30	-	8	5	204	187	8	9	204	-	17	63	18	106	-	-

¹ Jury waived.

² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

PENNSYLVANIA

A total of 11,040 defendants were disposed of for major offenses in the trial courts of Pennsylvania during the calendar year 1943, according to reports received from the Pennsylvania Department of Welfare by the Bureau of the Census. Of these 11,040 defendants, 7,621, or 69.0 percent, were convicted and sentenced. Among those defendants convicted and sentenced, 2,122, or 27.8 percent, were placed on probation or given a suspended sentence; 1,417, or 18.6 percent, were sent to a prison or reformatory; and 2,995, or 39.3 percent, were sent to a local jail or workhouse. Of the 5,911 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 4,352, or 73.6 percent, were convicted; and of the 2,403 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 1,297, or 54.0 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 202.6 in 1939 to 119.1 in 1943. Likewise, the rate for defendants convicted decreased from 143.9 in 1939 to 82.2 in 1943. Among defendants disposed of for major offenses during 1943, there were more defendants disposed of for larceny than for any other offense, with burglary following in second place, and the two offense groups together accounting for 31.6 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 70.2 percent of all defendants disposed of for major offenses were convicted. In 1939, 71.0

percent of the defendants were convicted; in 1940, 71.4 percent; in 1941, 69.8 percent; in 1942, 69.2 percent; and in 1943, 69.0 percent. In 1943, 50.2 percent of all defendants entered a plea of guilty, whereas only 12.9 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 27.1 percent were placed on probation or given a suspended sentence. The percentages for 1941 and 1939 were lower than this figure, and the percentages for the remaining years were somewhat higher. Only 15.6 percent of all defendants convicted of major offenses during the past 5 years were sentenced to a prison or reformatory, while 42.9 percent were sentenced to a local jail or workhouse.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 67 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 64 counties, 99.0 percent; 1942, all counties, 100.0 percent; 1941, 63 counties, 97.7 percent; 1940, 66 counties, 99.8 percent; 1939, all counties, 100.0 percent.

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ²	1941 ³	1940 ⁴	1939 ⁵
DEFENDANTS DISPOSED OF										
Total.....	11,040	14,309	14,411	17,278	19,937	119.1	147.3	150.7	174.9	202.6
Murder.....	106	159	106	169	180	1.1	1.6	1.1	1.7	1.8
Manslaughter.....	292	382	379	391	375	3.1	3.9	4.0	4.0	3.8
Robbery.....	631	826	861	1,076	958	6.8	8.5	9.0	10.9	9.7
Aggravated Assault.....	1,630	2,015	1,988	2,093	2,635	17.6	20.7	20.8	21.2	26.8
Burglary.....	1,667	2,226	2,349	2,973	3,058	18.0	22.9	24.6	30.1	31.1
Larceny, except auto theft.....	1,822	2,403	2,474	3,449	4,747	19.6	24.7	25.9	34.9	48.2
Auto theft.....	428	656	572	610	874	4.6	6.8	6.0	6.2	8.9
Embezzlement and fraud.....	694	1,080	1,273	1,470	1,878	7.5	11.1	12.3	14.9	19.1
Stolen property, receiving, etc.....	423	633	433	540	520	4.6	6.5	4.5	5.5	5.3
Forgery and counterfeiting.....	246	386	394	522	615	2.7	4.0	4.1	5.3	6.2
Rape.....	375	480	509	544	578	4.0	4.9	5.3	5.5	5.9
Other major offenses.....	2,726	3,063	3,073	3,441	3,519	29.4	31.5	32.1	34.8	35.8
DEFENDANTS CONVICTED										
Total.....	7,621	9,895	10,064	12,328	14,158	82.2	101.8	105.2	124.8	143.9
Murder.....	78	108	64	106	111	0.8	1.1	0.7	1.1	1.1
Manslaughter.....	114	136	121	156	136	1.2	1.4	1.3	1.6	1.4
Robbery.....	421	607	664	805	771	4.5	6.2	6.9	8.1	7.8
Aggravated assault.....	880	1,058	993	1,141	1,286	9.5	10.9	10.4	11.5	13.1
Burglary.....	1,408	1,877	2,026	2,551	2,636	15.2	19.3	21.2	25.8	26.6
Larceny, except auto theft.....	1,298	1,763	1,855	2,660	3,683	14.0	18.1	19.4	26.9	37.4
Auto theft.....	348	549	487	489	733	3.8	5.7	5.1	4.9	7.4
Embezzlement and fraud.....	380	623	769	899	1,199	4.1	6.4	8.0	9.1	12.2
Stolen property, receiving, etc.....	298	409	246	313	296	3.2	4.2	2.6	3.2	3.0
Forgery and counterfeiting.....	199	285	343	412	459	2.1	2.9	3.6	4.2	4.7
Rape.....	225	297	294	312	369	2.4	3.1	3.1	3.2	3.7
Other major offenses.....	1,972	2,183	2,202	2,484	2,479	21.3	22.5	23.0	25.1	25.2

¹ Based on estimate of civilian population for counties reporting.

² Based on estimate of civilian population of the State.

³ Based on estimate of civilian population of counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

⁴ Based on Population census of 1940 for counties reporting.

⁵ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--PENNSYLVANIA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	11,040	100.0	14,309	100.0	14,411	100.0	17,276	100.0	19,937	100.0
Disposed of without conviction.....	3,419	31.0	4,414	30.8	4,347	30.2	4,950	28.6	5,779	29.0
Dismissed.....	1,483	13.4	1,681	11.7	1,550	10.8	1,778	10.3	2,299	11.5
Acquitted by court (jury waived).....	319	2.9	446	3.1	410	2.8	667	4.0	770	3.9
Acquitted by jury.....	1,191	10.6	1,619	11.3	1,812	12.6	1,835	10.6	2,151	10.8
Other no-penalty disposition.....	426	3.9	668	4.7	575	4.0	650	3.8	559	2.8
Convicted and sentenced.....	7,621	69.0	9,895	69.2	10,064	69.8	12,328	71.4	14,158	71.0
Pleaded guilty.....	5,545	50.2	7,275	50.8	7,560	52.5	9,463	54.8	10,946	54.9
Found guilty by court (jury waived).....	656	5.9	913	6.4	649	4.5	1,131	6.5	1,064	5.4
Found guilty by jury.....	1,420	12.9	1,707	11.9	1,855	12.9	1,794	10.0	2,122	10.7

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

(Percent not shown where less than 0.1)

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	7,621	100.0	9,895	100.0	10,064	100.0	12,328	100.0	14,158	100.0
Death penalty.....	6	0.1	5	0.1	3	-	7	0.1	9	0.1
Prison or reformatory.....	1,417	18.6	1,686	17.0	1,809	18.0	1,612	13.1	1,904	13.4
Probation or suspended sentence.....	2,122	27.8	2,734	27.6	2,620	26.0	3,411	27.7	3,764	26.6
Local jail or workhouse.....	2,995	39.3	4,046	40.9	4,262	42.3	5,442	44.1	6,474	45.7
Fine or costs only.....	787	10.3	1,052	10.6	1,015	10.1	1,484	12.0	1,573	11.1
Institution for juvenile delinquents only..	171	2.2	238	2.4	173	1.7	237	1.9	276	1.9
Other sentences.....	123	1.6	134	1.4	182	1.8	135	1.1	158	1.1

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reforma- tory	Probation or suspended sentence	Local jail or work- house	Fine or costs only	Insti- tution for juvenile delin- quents only	Other sen- tence		
		Total	Dis- missed	Acquitted--		Other no- pen- alty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹									By jury	
All offenses.....	23,432	7,672	3,953	661	2,087	971	15,760	10,531	3,187	2,042	15,760	6	1,481	4,291	4,428	3,659	264	1,681	
Major offenses.....	11,040	3,419	1,483	319	1,191	426	7,621	5,545	656	1,420	7,621	6	1,417	2,122	2,995	787	171	123	
Murder.....	106	28	4	-	22	2	78	28	26	24	78	5	58	-	13	-	-	2	
Manslaughter.....	292	178	59	10	64	45	114	55	10	49	114	-	37	18	54	5	-	-	
Robbery.....	631	210	49	10	136	15	421	242	4	175	421	-	195	42	170	5	6	1	
Aggravated assault.....	1,630	750	380	61	256	53	880	472	109	299	880	-	62	270	454	93	-	1	
Burglary.....	1,667	259	102	25	96	36	1,408	1,147	105	156	1,408	-	409	358	499	70	66	6	
Larceny, except auto theft..	1,822	524	245	65	147	67	1,298	1,045	146	107	1,298	-	162	472	499	98	55	12	
Auto theft.....	428	80	34	9	26	11	348	296	12	40	348	-	77	106	130	17	15	1	
Embezzlement and fraud.....	694	314	181	31	73	29	380	309	27	44	380	-	31	153	124	65	7	-	
Stolen property, receiving, etc.....	423	125	37	14	54	20	298	214	24	60	298	-	35	110	136	17	-	-	
Forgery and counterfeiting..	246	47	23	6	4	14	199	181	10	8	199	-	41	46	96	11	3	2	
Rape.....	375	150	62	1	71	16	225	139	9	77	225	1	80	18	103	17	1	5	
Commercialized vice.....	378	98	22	9	44	23	280	179	42	59	280	-	35	62	104	79	-	-	
Other sex offenses.....	1,468	422	211	38	118	55	1,046	769	76	201	1,046	-	118	252	337	240	8	91	
Violating drug laws.....	78	12	2	3	6	1	66	48	4	14	66	-	14	19	27	6	-	-	
Carrying, etc., weapons.....	621	187	60	32	64	31	434	807	42	85	434	-	23	163	197	49	2	-	
Other minor offenses.....	181	35	12	5	10	8	146	114	10	22	146	-	40	31	52	15	6	2	
Abortion.....	45	10	2	1	2	5	35	25	-	10	35	-	12	10	9	3	-	1	
Arson.....	47	8	3	-	4	1	39	28	5	6	39	-	10	6	14	5	4	-	
Slavery.....	21	3	1	-	2	-	18	16	-	2	18	-	1	8	7	1	-	1	
Blackmail and extortion.....	4	3	2	-	1	-	1	1	-	-	1	-	1	-	-	-	-	-	
Escape and jail break.....	37	1	-	-	1	36	34	2	-	36	-	-	16	1	17	-	2	-	
Contempt.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	26	6	3	4	1	1	17	10	3	4	17	-	-	6	5	6	-	-	
Minor offenses ²	12,392	4,253	2,470	342	896	545	8,139	4,986	2,531	622	8,139	-	64	2,169	1,433	2,672	93	1,508	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

RHODE ISLAND

A total of 291 defendants were disposed of for major offenses in the superior courts of Rhode Island during the calendar year 1943, according to reports received from the Department of Social Welfare at Providence by the Bureau of the Census. Of these 291 defendants, 277, or 95.2 percent, were convicted and sentenced; and 193, or 69.7 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence. Of the 222 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 214, or 96.4 percent, were convicted; and all 31 of the persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 90.1 in 1939 to 41.9 in 1943. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 89.1 in 1939 to 39.9 in 1943. More defendants were disposed of for burglary than for any other offense during 1943, with auto theft following in second place, and the two offense groups together accounting for 50.2 percent of all major offense dispositions.

During the past 5 years, 96.6 percent of all defendants disposed of for major crimes were convicted. In 1939, 98.9 percent of the defendants were convicted; in 1940, 95.2 percent; in 1941, 95.7 percent; in 1942, 97.4

percent; and in 1943, 95.2 percent. In 1943, 92.1 percent of all defendants entered a plea of guilty, whereas only 3.1 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 72.0 percent were placed on probation or given a suspended sentence. The percentages for 1943 and 1939 were lower than this figure, while those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 22.4 percent were sentenced to a State prison or reformatory.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	291	468	514	600	632	41.9	64.9	71.8	84.1	90.1
Murder.....	2	4	-	2	1	0.3	0.6	-	0.3	0.1
Manslaughter.....	2	6	2	3	5	0.3	0.8	0.3	0.4	0.7
Robbery.....	31	13	28	20	29	4.5	1.8	3.9	2.8	4.1
Aggravated assault.....	21	25	29	33	4	3.0	3.5	4.0	4.6	0.6
Burglary.....	110	202	224	258	310	15.8	28.0	31.3	36.2	44.2
Larceny, except auto theft.....	29	26	14	21	18	4.2	3.6	2.0	2.9	2.6
Auto theft.....	36	100	122	109	95	5.2	13.9	17.0	15.3	13.5
Embezzlement and fraud.....	9	6	17	62	28	1.2	0.8	2.4	8.7	4.0
Stolen property, receiving, etc.....	1	3	3	1	3	0.1	0.4	0.4	0.1	0.4
Forgery and counterfeiting.....	6	26	24	12	17	0.9	3.6	3.4	1.7	2.4
Rape.....	6	24	8	26	26	0.9	3.3	1.1	3.6	3.7
Other major offenses.....	38	33	43	53	96	5.5	4.6	6.0	7.4	13.7
DEFENDANTS CONVICTED										
Total.....	277	456	492	571	625	39.9	63.3	68.7	80.0	89.1
Murder.....	2	4	-	1	1	0.3	0.6	-	0.1	0.1
Manslaughter.....	2	3	1	3	5	0.3	0.4	0.1	0.4	0.7
Robbery.....	28	13	25	20	28	4.0	1.8	3.5	2.8	4.0
Aggravated assault.....	21	24	28	32	4	3.0	3.3	3.9	4.5	0.6
Burglary.....	106	200	221	254	306	15.3	27.7	30.9	35.6	43.9
Larceny, except auto theft.....	28	24	13	20	18	4.0	3.3	1.8	2.8	2.6
Auto theft.....	36	100	119	103	95	5.2	12.9	16.6	14.4	13.5
Embezzlement and fraud.....	9	5	16	50	28	1.3	0.7	2.2	7.0	4.0
Stolen property, receiving, etc.....	1	3	3	1	3	0.1	0.4	0.4	0.1	0.4
Forgery and counterfeiting.....	6	26	23	12	17	0.9	3.6	3.2	1.7	2.4
Rape.....	6	21	7	26	25	0.9	2.9	1.0	3.6	3.6
Other major offenses.....	32	33	36	49	93	4.6	4.6	5.0	6.9	13.3

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--RHODE ISLAND

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	291	100.0	468	100.0	514	100.0	600	100.0	632	100.0
Disposed of without conviction.....	14	4.8	12	2.6	22	4.3	29	4.8	7	1.1
Dismissed or nolle prosequi.....	10	3.4	6	1.3	17	3.3	17	2.8	7	1.1
Acquitted by court (jury waived).....	-	-	-	-	1	0.2	-	-	-	-
Acquitted by jury.....	4	1.4	6	1.3	4	0.8	11	1.8	-	-
Other co-penalty disposition.....	-	-	-	-	-	-	1	0.2	-	-
Convicted and sentenced.....	277	95.2	456	97.4	492	95.7	571	95.2	625	98.9
Nolo contendere ¹	268	92.1	449	95.9	486	94.6	565	94.2	625	98.9
Found guilty by court (jury waived).....	-	-	-	-	-	-	-	-	-	-
Found guilty by jury.....	9	3.1	7	1.5	6	1.2	6	1.0	-	-

¹ Includes pleas of guilty.

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	277	100.0	456	100.0	492	100.0	571	100.0	625	100.0
Death penalty.....	-	-	-	-	-	-	-	-	-	-
Prison or reformatory.....	77	27.8	85	18.6	71	14.4	116	20.3	194	31.0
Probation or suspended sentence.....	193	69.7	348	76.3	401	81.5	423	74.1	377	60.3
Local jail or workhouse.....	6	2.2	19	4.2	17	3.5	27	4.7	46	7.4
Fine or costs only.....	1	0.4	4	0.9	3	0.6	5	0.9	8	1.3
Institution for juvenile delinquents only..	-	-	-	-	-	-	-	-	-	-
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed or nolle prosequi	Acquitted--		Other no-penalty	Total	Nolo contendere ²	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	304	17	13	-	4	-	287	278	-	9	287	-	78	197	6	6	-	-	
Major offenses.....	291	14	10	-	4	-	277	268	-	9	277	-	77	193	6	1	-	-	
Murder.....	2	-	-	-	-	-	2	-	-	2	2	-	2	-	-	-	-	-	
Masslaughter.....	2	-	-	-	-	-	2	-	-	2	2	-	2	-	-	-	-	-	
Robbery.....	31	3	-	-	3	-	28	27	-	1	28	-	8	20	-	-	-	-	
Aggravated assault.....	21	-	-	-	-	-	21	20	-	1	21	-	6	14	1	-	-	-	
Burglary.....	110	4	4	-	-	-	106	106	-	-	106	-	24	81	1	-	-	-	
Larceny, except auto theft.....	29	1	1	-	-	-	28	28	-	-	28	-	5	22	1	-	-	-	
Auto theft.....	36	-	-	-	-	-	36	36	-	-	36	-	10	26	-	-	-	-	
Embezzlement and fraud.....	9	-	-	-	-	-	9	8	-	1	9	-	3	5	1	-	-	-	
Stolen property, receiving, etc.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Forgery and counterfeiting.....	6	-	-	-	-	-	6	6	-	-	6	-	-	5	1	-	-	-	
Rape.....	6	-	-	-	-	-	6	6	-	-	6	-	3	3	-	-	-	-	
Commercialized vice.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	4	-	-	-	-	-	4	4	-	-	4	-	2	2	-	-	-	-	
Violating drug laws.....	2	1	1	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Carrying, etc., weapons.....	12	1	-	-	1	-	11	11	-	-	11	-	4	6	-	1	-	-	
Other major offenses.....	19	3	3	-	-	-	16	14	-	2	16	-	6	9	1	-	-	-	
Abortion.....	6	-	-	-	-	-	6	6	-	-	6	-	1	5	-	-	-	-	
Arson.....	3	-	-	-	-	-	3	1	-	2	3	-	1	1	1	-	-	-	
Bigamy.....	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion.....	2	1	1	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-	
Escape and jail break.....	6	-	-	-	-	-	6	6	-	-	6	-	4	2	-	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ³	13	3	3	-	-	-	10	10	-	-	10	-	1	4	-	5	-	-	

¹ Jury waived.² Includes pleas of guilty.³ This group includes minor assault; consensual; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

SOUTH DAKOTA

A total of 176 defendants were disposed of for major offenses in the circuit courts of South Dakota during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 176 defendants, 147, or 83.5 percent, were convicted and sentenced; and 65, or 44.2 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 135 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 117, or 86.7 percent, were convicted; and of the 24 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 16 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population dropped from 76.9 in 1939 to 34.4 in 1943. Likewise, the rate for defendants convicted showed a continuous decline from 68.2 in 1939 to 28.7 in 1943. Among the defendants disposed of for major offenses during 1943, there were more defendants disposed of for larceny than for any other offense, with burglary following in second place, and the two offense groups together accounting for 53.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 86.3 percent of all defendants disposed of for major offenses were convicted. In

1939, 88.7 percent of the defendants were convicted; in 1940 and 1941, 87.0 percent; in 1942, 82.2 percent; and in 1943, 83.5 percent. In 1943, 76.1 percent of all defendants entered a plea of guilty, whereas only 1.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 57.8 percent were sentenced to a State prison or reformatory. The percentages for 1939 and 1943 fell below this figure, while the percentages for the remaining years were somewhat higher.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 69 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 66 counties, 93.9 percent; 1942, 68 counties, 97.9 percent; 1941 and 1940, all counties, 100.0 percent; 1939, 65 counties, 94.4 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	176	287	384	478	468	34.4	49.9	63.0	74.3	76.9
Murder.....	1	-	2	4	3	0.2	-	0.3	0.6	0.5
Manslaughter.....	7	6	2	7	6	1.4	1.0	0.3	1.1	1.0
Robbery.....	1	11	15	9	11	0.2	1.9	2.5	1.4	1.8
Aggravated assault.....	8	7	11	15	11	1.6	1.2	1.8	2.3	1.8
Burglary.....	29	35	47	78	81	5.7	6.1	7.7	12.1	13.3
Larceny, except auto theft.....	65	102	134	151	156	12.7	17.7	22.0	23.5	25.6
Auto theft.....	5	18	19	23	17	1.0	3.1	3.1	3.6	2.8
Embezzlement and fraud.....	8	27	35	48	37	1.6	4.7	5.7	7.5	6.1
Stolen property, receiving, etc.....	-	8	6	5	11	-	1.4	1.0	0.8	1.8
Forgery and counterfeiting.....	27	32	63	81	69	5.3	5.6	10.3	12.6	11.3
Rape.....	8	18	23	22	26	1.6	3.1	3.8	3.4	4.3
Other major offenses.....	17	23	27	35	40	3.3	4.0	4.4	5.4	6.6
DEFENDANTS CONVICTED										
Total.....	147	236	334	416	415	28.7	41.0	54.8	64.7	68.2
Murder.....	1	-	2	2	3	0.2	-	0.3	0.3	0.5
Manslaughter.....	2	3	2	3	4	0.4	0.5	0.3	0.5	0.7
Robbery.....	1	10	14	7	11	0.2	1.7	2.3	1.1	1.8
Aggravated assault.....	7	5	10	10	6	1.4	0.9	1.6	1.6	1.0
Burglary.....	26	31	40	74	71	5.1	5.4	6.6	11.5	11.7
Larceny, except auto theft.....	54	87	121	139	147	10.6	15.1	19.9	21.6	24.2
Auto theft.....	5	14	16	20	17	1.0	2.4	2.6	3.1	2.8
Embezzlement and fraud.....	8	20	23	37	32	1.6	3.5	3.8	5.8	5.3
Stolen property, receiving, etc.....	-	8	5	3	11	-	1.4	0.8	0.5	1.8
Forgery and counterfeiting.....	23	28	60	78	64	4.5	4.9	9.8	12.1	10.5
Rape.....	6	12	19	15	19	1.2	2.1	3.1	2.3	3.1
Other major offenses.....	14	18	22	28	30	2.7	3.1	3.6	4.4	4.9

¹ Based on estimate for civilian population for counties reporting.

² Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940.

⁴ Based on estimate of total population for counties reporting.

JUDICIAL CRIMINAL STATISTICS--SOUTH DAKOTA

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	176	100.0	287	100.0	384	100.0	478	100.0	468	100.0
Disposed of without conviction.....	29	16.5	51	17.8	50	13.0	62	13.0	53	11.3
Dismissed.....	21	11.9	38	13.2	37	9.6	44	9.2	38	8.1
Acquitted by court (jury waived).....	-	-	1	0.3	-	-	1	0.2	-	-
Acquitted by jury.....	4	2.3	12	4.2	10	2.6	11	2.3	13	2.8
Other no-penalty disposition.....	4	2.3	-	-	3	0.8	6	1.3	2	0.4
Convicted and sentenced.....	147	83.5	236	82.2	334	87.0	416	87.0	415	88.7
Fleeced guilty.....	134	76.1	216	75.3	311	81.0	387	81.0	374	79.9
Found guilty by court (jury waived).....	10	5.7	5	1.7	10	2.6	17	3.6	22	4.7
Found guilty by jury.....	3	1.7	15	5.2	13	3.4	12	2.5	19	4.1

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	147	100.0	236	100.0	334	100.0	416	100.0	415	100.0
Death penalty.....	1	0.7	-	-	2	0.6	-	-	-	-
Prison or reformatory.....	65	44.2	151	64.0	202	60.5	246	59.1	231	55.7
Probation or suspended sentence.....	37	25.2	44	18.6	68	20.4	95	22.8	87	21.0
Local jail or workhouse.....	28	19.0	37	15.7	53	15.9	60	14.4	79	19.0
Fine or costs only.....	12	8.2	4	1.7	7	2.1	11	2.6	7	1.7
Institution for juvenile delinquents only..	4	2.7	-	-	2	0.6	4	1.0	11	2.7
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced					Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offenses.....	343	56	44	-	5	7	287	267	16	4	287	1	75	88	57	62	4	-	
Major offenses.....	176	29	21	-	4	4	147	134	10	3	147	1	65	37	28	12	4	-	
Murder.....	1	-	-	-	-	-	1	1	-	-	1	1	-	-	-	-	-	-	
Manslaughter.....	7	5	5	-	-	-	2	1	-	1	2	-	2	-	-	-	-	-	
Robbery.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Aggravated assault.....	8	1	-	-	1	-	7	7	-	-	7	-	4	1	1	1	-	-	
Burglary.....	29	3	1	-	-	2	26	21	4	1	26	-	11	6	3	3	3	-	
Larceny, except auto theft..	65	11	8	-	2	1	54	51	3	-	54	-	18	15	13	8	-	-	
Auto theft.....	5	-	-	-	-	-	5	5	-	-	5	-	4	-	1	-	-	-	
Embezzlement and fraud.....	8	-	-	-	-	-	8	6	2	-	8	-	2	2	4	-	-	-	
Stolen property, receiving, etc.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Forgery and counterfeiting..	27	4	4	-	-	-	23	22	1	-	23	-	11	7	4	-	1	-	
Rape.....	8	2	2	-	-	-	6	5	-	1	6	-	4	2	-	-	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	8	2	1	-	-	1	6	6	-	-	6	-	5	1	-	-	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	4	-	-	-	-	-	4	4	-	-	4	-	2	1	1	-	-	-	
Other major offenses.....	5	1	-	-	1	-	4	4	-	-	4	-	1	2	1	-	-	-	
Abortion.....	2	-	-	-	-	-	2	2	-	-	2	-	-	2	-	-	-	-	
Arson.....	2	1	-	-	1	-	1	1	-	-	1	-	1	-	-	-	-	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	1	-	-	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	167	27	23	-	1	3	140	133	6	1	140	-	10	51	29	50	-	-	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

UTAH

A total of 303 defendants were disposed of for major offenses in the district courts of Utah during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 303 defendants, 209, or 69.0 percent, were convicted and sentenced; and 114, or 37.5 percent, of the defendants convicted and sentenced were sent to a prison or reformatory. Of the 219 defendants charged with major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 154, or 70.3 percent, were convicted; and of the 49 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 32 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population has decreased from 76.5 in 1939 to 51.9 in 1943. The rate for defendants convicted followed the same general trend, decreasing from 63.7 in 1939 to 35.8 in 1943. More defendants were disposed of for burglary than for any other offense during 1943, with larceny following in second place, and the two offenses together accounting for 50.8 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 77.2 percent of all defendants disposed of for major offenses were convicted. The percentages of defendants convicted decreased from 83.4 in 1939 to 69.0 in 1943. In 1943, 46.5 percent of all

defendants entered a plea of guilty, and 20.5 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 48.6 percent were sent to a prison or reformatory. These percentages for 1939, 1940, and 1941 fall below this figure, and the percentages for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 40.2 percent were placed on probation or given a suspended sentence.

These statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcomes of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 29 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943 and 1942, all counties, 100.0 percent; 1941, 27 counties, 96.2 percent; 1940, 28 counties, 97.1 percent; 1939, all counties, 100.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ²	1940 ³	1939 ⁴
DEFENDANTS DISPOSED OF										
Total.....	303	362	352	394	415	51.9	65.4	66.3	73.7	76.5
Murder.....	9	6	5	7	8	1.5	1.1	0.9	1.3	1.5
Manslaughter.....	6	12	11	13	7	1.0	2.2	2.1	2.4	1.3
Robbery.....	16	29	28	28	24	2.7	5.2	5.3	5.2	4.4
Aggravated assault.....	19	22	13	11	16	3.3	4.0	2.4	2.1	2.9
Burglary.....	104	88	104	134	153	17.8	15.9	19.6	25.1	28.2
Larceny, except auto theft.....	50	56	46	62	60	8.6	10.1	8.7	11.6	11.1
Auto theft.....	-	1	4	7	23	-	0.2	0.8	1.3	4.2
Embezzlement and fraud.....	8	26	21	19	8	1.4	4.7	4.0	3.6	1.5
Stolen property, receiving, etc.....	5	4	8	9	4	0.9	0.7	1.5	1.7	0.7
Forgery and counterfeiting.....	36	66	68	52	47	6.2	11.9	12.8	9.7	8.7
Rape.....	15	13	19	13	23	2.6	2.3	3.6	2.4	4.2
Other major offenses.....	35	39	25	39	42	6.0	7.0	4.7	7.3	7.7
DEFENDANTS CONVICTED										
Total.....	209	254	280	320	346	35.8	45.9	52.7	59.9	63.7
Murder.....	7	6	2	4	6	1.2	1.1	0.4	0.7	1.1
Manslaughter.....	5	5	9	9	5	0.9	0.9	1.7	1.7	0.9
Robbery.....	9	21	22	19	19	1.5	3.8	4.1	3.6	3.5
Aggravated assault.....	14	15	9	5	11	2.4	2.7	1.7	0.9	2.0
Burglary.....	72	64	84	114	135	12.3	11.6	15.8	21.3	24.9
Larceny, except auto theft.....	36	34	37	58	49	6.2	6.1	7.0	10.9	9.0
Auto theft.....	-	1	3	6	23	-	0.2	0.6	1.1	4.2
Embezzlement and fraud.....	6	22	11	17	6	1.0	4.0	2.1	3.2	1.1
Stolen property, receiving, etc.....	5	3	4	6	3	0.9	0.5	0.8	1.1	0.6
Forgery and counterfeiting.....	26	47	63	49	42	4.5	8.5	11.9	9.2	7.7
Rape.....	6	11	16	8	21	1.0	2.0	3.0	1.5	3.9
Other major offenses.....	23	25	20	25	26	3.9	4.5	3.8	4.7	4.8

¹ Based on estimate of civilian population of the State.

² Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

³ Based on Population census of 1940 for counties reporting.

⁴ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--UTAH

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	303	100.0	362	100.0	352	100.0	394	100.0	413	100.0
Disposed of without conviction.....	94	31.0	108	29.8	72	20.5	74	18.8	69	16.6
Dismissed.....	45	14.9	69	19.1	27	7.7	37	9.4	36	8.7
Acquitted by court (jury waived).....	-	-	1	0.3	6	1.7	4	1.0	7	1.7
Acquitted by jury.....	30	9.9	27	7.5	31	8.8	33	8.4	23	5.5
Other no-penalty disposition.....	19	6.3	11	3.0	8	2.3	-	-	3	0.7
Convicted and sentenced.....	209	69.0	254	70.2	280	79.5	320	81.2	346	83.4
Pleading guilty.....	141	46.5	171	47.2	189	53.7	251	63.7	257	61.9
Found guilty by court (jury waived).....	6	2.0	7	1.9	8	2.3	7	1.8	12	2.9
Found guilty by jury.....	62	20.5	76	21.0	83	23.6	62	15.7	77	18.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	209	100.0	254	100.0	280	100.0	320	100.0	346	100.0
Death penalty.....	3	1.4	1	0.4	2	0.7	2	0.6	-	-
Prison or reformatory.....	114	54.5	133	52.4	131	46.8	151	47.2	156	45.1
Probation or suspended sentence.....	74	35.4	85	33.5	126	45.0	122	38.1	159	46.0
Local jail or workhouse.....	11	5.3	18	7.1	18	6.4	33	10.3	23	6.6
Fine or costs only.....	6	2.9	15	5.9	2	0.7	9	2.8	6	1.7
Institution for juvenile delinquents only...	1	0.5	1	0.4	1	0.4	-	-	2	0.6
Other sentence.....	-	-	1	0.4	-	-	3	0.9	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence	
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offensee.....	521	192	68	4	43	77	329	225	20	84	329	3	123	99	40	62	2	-	
Major offensee.....	303	94	45	-	30	19	209	141	6	62	209	3	114	74	11	6	1	-	
Murder.....	9	2	-	-	1	1	7	1	1	5	7	3	4	-	-	-	-	-	
Manslaughter.....	6	1	-	-	1	-	5	2	-	3	5	-	-	3	2	-	-	-	
Robbery.....	16	7	3	-	3	1	9	4	-	5	9	-	6	3	-	-	-	-	
Aggravated assault.....	19	5	1	-	3	1	14	10	1	3	14	-	7	4	3	-	-	-	
Burglary.....	104	32	15	-	8	9	72	57	1	14	72	-	40	31	-	1	-	-	
Larceny, except auto theft..	50	14	9	-	3	2	36	21	1	14	36	-	21	12	3	-	-	-	
Auto theft.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Embezzlement and fraud.....	8	2	1	-	1	-	6	4	1	1	6	-	2	4	-	-	-	-	
Stolen property, receiving, etc.....	5	-	-	-	-	-	5	3	-	2	5	-	3	1	1	-	-	-	
Forgery and counterfeiting..	36	10	7	-	-	3	26	24	1	1	26	-	12	10	2	1	1	-	
Rape.....	15	9	2	-	6	1	6	4	-	2	6	-	6	-	-	-	-	-	
Commercialized vice.....	3	1	1	-	-	-	2	-	-	2	2	-	-	-	-	2	-	-	
Other sex offensee.....	29	10	6	-	3	1	19	11	-	8	19	-	11	6	-	2	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other major offensee.....	2	-	-	-	-	-	2	-	-	2	2	-	2	-	-	-	-	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Bribery.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kidnaping.....	2	-	-	-	-	-	2	-	-	2	2	-	2	-	-	-	-	-	
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offensee ²	218	98	23	4	13	56	180	84	14	22	120	-	9	25	29	56	1	-	

¹ Jury waived.² This group includes minor assault; noneupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

VERMONT

A total of 376 defendants were disposed of for major offenses in the reporting trial courts of Vermont during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 376 defendants, 267, or 71.0 percent, were convicted and sentenced; 84, or 31.5 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory; and 76, or 28.5 percent, were placed on probation or given a suspended sentence. Of the 261 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 187, or 71.6 percent, were convicted; and of the 31 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 20 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 221.7 in 1939 to 156.1 in 1942, and then increased to 169.0 in 1943. The rate for defendants convicted followed the same general trend, decreasing from 171.1 in 1939 to 97.1 in 1942 and then increasing to 120.0 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with auto theft following in second place, and the two offense groups accounting for 50.0 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 72.6 percent of all defendants disposed of for major crimes were convicted. In 1939, 77.2 percent were convicted; in 1940, 77.8 percent; in 1941, 74.1 percent; in 1942, 62.2 percent; and in 1943, 71.0 percent. In 1943, 66.0 percent of all defendants entered a plea of guilty, whereas only 4.3 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 36.9 percent were sentenced to a State prison or reformatory. The percentages for 1943 and 1940 fell below this amount, while those for the remaining years were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 28.4 percent were placed on probation or given a suspended sentence.

Under Vermont law municipal courts exercise felony jurisdiction concurrently with the county court in 11 of the 14 counties of the State. In 1943, reports on criminal disposition were received from the county courts in 12 counties containing 92.7 percent of the 1940 population of the State and from all municipal courts in 7 counties and 1 of the 2 municipal courts in each of 3 counties. The jurisdiction of these municipal courts represents 69.8 percent of the 1940 population of all counties in which municipal courts have jurisdiction. It is estimated that the reporting courts account for 70.4 percent of all of the judicial criminal proceedings in the State.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
[See text for coverage]

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ²
DEFENDANTS DISPOSED OF										
Total.....	376	410	533	418	425	169.0	156.1	188.3	205.6	221.7
Murder.....	3	1	-	3	2	1.3	0.4	-	1.5	1.0
Manslaughter.....	-	2	9	1	-	-	0.8	3.2	0.5	-
Robbery.....	3	7	6	3	3	1.3	2.7	2.1	1.5	1.6
Aggravated assault.....	14	7	3	2	14	6.3	2.7	1.1	1.0	7.3
Burglary.....	44	33	84	82	74	19.9	12.6	29.7	40.3	38.6
Larceny, except auto theft.....	136	209	219	151	162	61.1	79.6	77.4	74.3	84.5
Auto theft.....	52	16	18	14	14	23.4	6.1	6.4	6.9	7.3
Embezzlement and fraud.....	16	20	37	31	30	7.2	7.6	13.1	15.2	15.7
Stolen property, receiving, etc.....	-	11	2	12	3	-	4.2	0.7	5.9	1.6
Forgery and counterfeiting.....	10	12	23	13	23	4.5	4.6	8.1	6.4	12.0
Rape.....	14	16	22	22	19	6.3	6.1	7.8	10.8	9.9
Other major offenses.....	84	76	110	84	81	37.8	28.9	38.9	41.3	42.3
DEFENDANTS CONVICTED										
Total.....	267	255	395	325	328	120.0	97.1	139.6	159.8	171.1
Murder.....	1	-	-	2	1	0.4	-	-	1.0	0.5
Manslaughter.....	-	1	5	-	-	-	0.4	1.8	-	-
Robbery.....	2	2	5	2	3	0.9	0.8	1.8	1.0	1.6
Aggravated assault.....	10	4	-	1	14	4.5	1.5	-	0.5	7.3
Burglary.....	23	19	68	66	67	10.3	7.2	24.0	32.5	35.0
Larceny, except auto theft.....	104	125	166	120	119	46.7	47.6	58.7	59.0	62.1
Auto theft.....	43	10	11	14	14	19.3	3.8	3.9	6.9	7.3
Embezzlement and fraud.....	9	14	25	21	24	4.0	5.3	8.8	10.3	12.5
Stolen property, receiving, etc.....	-	8	1	7	2	-	3.0	0.4	3.4	1.0
Forgery and counterfeiting.....	6	11	22	11	16	2.7	4.2	7.8	5.4	8.3
Rape.....	9	11	9	13	11	4.0	4.2	3.2	6.4	5.7
Other major offenses.....	60	50	83	68	57	27.0	19.0	29.3	33.4	29.7

¹ Based on estimate of civilian population covered by the reports.

² Based on estimate of total population covered by the reports.

Reports were received from county courts in 13 counties in 1942, 12 counties in 1941, 11 counties in 1940, and 12 counties in 1939. Of the 11 counties with municipal courts having felony jurisdiction, all municipal courts reported in 7 counties in 1942, 9 counties in 1941, 6 counties in 1940, and 4 counties in 1939. One of the 2 municipal courts reported in each of 2 counties in 1942, in 1 county in 1941, in 1 county in 1940, and in each of 3 counties in 1939. It is estimated that reporting courts accounted for 76.3 percent of all of the judicial criminal proceedings in the State in 1942, 81.0 in 1941, 56.6 in 1940, and 53.6 in 1939.

The statistics presented in this report are for those persons actually brought before a court having felony

jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	376	100.0	410	100.0	533	100.0	418	100.0	425	100.0
Disposed of without conviction.....	109	29.0	155	37.6	138	25.9	93	22.2	97	22.8
Dismissed.....	84	22.3	139	33.9	79	14.8	71	17.0	79	18.6
Acquitted by court (jury waived).....	-	-	-	-	-	-	1	0.2	1	0.2
Acquitted by jury.....	4	1.1	6	1.5	5	0.9	10	2.4	11	2.6
Other no-penalty disposition.....	21	5.6	10	2.4	54	10.1	11	2.6	6	1.4
Convicted and sentenced.....	267	71.0	255	62.2	395	74.1	325	77.8	328	77.2
Pleaded guilty.....	248	66.0	211	51.5	330	71.3	314	75.1	311	73.2
Found guilty by court (jury waived).....	3	0.8	30	7.3	4	0.8	2	0.5	1	0.2
Found guilty by jury.....	16	4.3	14	3.4	11	2.1	9	2.2	16	3.8

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced.....	267	100.0	255	100.0	395	100.0	325	100.0	328	100.0
Death penalty.....	-	-	-	-	-	-	1	0.3	-	-
Prison or reformatory.....	84	31.5	98	38.4	147	37.2	116	35.7	134	40.9
Probation or suspended sentence.....	76	28.5	77	30.2	105	26.6	91	28.0	97	29.6
Local jail or workhouse.....	37	13.9	35	13.7	72	18.2	66	20.3	53	16.2
Fine or costs only.....	46	17.2	40	15.7	50	12.7	37	11.4	30	9.1
Institution for juvenile delinquents only.....	24	9.0	4	1.6	20	5.1	14	4.3	13	4.0
Other sentence.....	-	-	1	0.4	1	0.3	-	-	1	0.3

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	Total defend- ente disposed of	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS								SENTENCE FOR THOSE CONVICTED								
		Disposed of without conviction				Convicted and sentenced				Total	Death penalty	Prison or reforma- tory	Probation or suspended sentence	Local jail or work- house	Fine or costs only	Insti- tution for juvenile delin- quente only	Other sen- tence	
		Total	Dis- missed	Acquitted--		Total	Pleaded guilty	Found guilty--										
				By court ¹	By jury			By court ¹	By jury									
All offenses.....	2,444	351	265	4	12	70	2,093	2,058	13	22	2,093	-	99	183	284	1,496	28	1
Major offenses.....	376	109	84	-	4	21	267	248	3	16	267	-	84	76	37	46	24	-
Murder.....	3	2	1	-	-	1	1	-	-	1	1	-	1	-	-	-	-	-
Manslaughter.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Robbery.....	3	1	1	-	-	-	2	1	-	1	2	-	2	-	-	-	-	-
Aggravated assault.....	14	4	3	-	-	1	10	5	-	5	10	-	7	1	1	1	-	-
Burglary.....	44	21	17	-	-	4	23	21	1	1	23	-	8	7	4	-	4	-
Larceny, except auto theft..	136	32	28	-	-	4	104	101	1	2	104	-	10	39	17	29	9	-
Auto theft.....	52	9	9	-	-	-	43	43	-	-	43	-	10	9	8	10	6	-
Embezzlement and fraud.....	16	7	6	-	-	1	9	9	-	-	9	-	4	2	-	3	-	-
Stolen property, receiving, etc.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Forgery and counterfeiting..	10	4	4	-	-	-	6	6	-	-	6	-	1	3	2	-	-	-
Rape.....	14	5	3	-	1	1	9	6	1	2	9	-	7	1	-	-	1	-
Commercialized vice.....	10	2	2	-	-	-	8	8	-	-	8	-	6	-	-	2	-	-
Other sex offenses.....	56	17	6	-	2	9	39	37	-	2	39	-	17	13	5	1	3	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	18	5	4	-	1	-	13	11	-	2	13	-	11	1	-	-	1	-
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	5	2	1	-	1	-	3	1	-	2	3	-	2	-	-	-	1	-
Bigamy.....	2	1	1	-	-	-	1	1	-	-	1	-	-	1	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	11	2	2	-	-	-	9	9	-	-	9	-	9	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minor offenses ²	2,068	242	181	4	8	42	1,826	1,810	10	6	1,826	-	13	109	247	1,450	4	-

¹ Jury waived.

² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

WASHINGTON

A total of 1,239 defendants were disposed of for major offenses in the superior courts of Washington during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,239 defendants, 1,014, or 81.8 percent, were convicted and sentenced; and 560, or 55.2 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 827 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 678, or 82.0 percent, were convicted; and of the 187 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 148, or 79.1 percent, were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased steadily from 94.6 in 1939 to 68.1 in 1943. The rate for defendants convicted of major offenses decreased from 79.7 in 1939 to 52.8 in 1942, and then rose to 55.7 in 1943. More defendants were disposed of for larceny than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 46.9 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 82.9 percent of all defendants disposed of for major crimes were convicted. In 1939, 84.3 percent of the defendants were convicted; in 1940, 84.8 percent; in 1941, 86.4 percent; in 1942, 75.5

percent; and in 1943, 81.8 percent. In 1943, 72.8 percent of all defendants entered a plea of guilty, whereas only 7.9 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 55.9 percent were sentenced to a State prison or reformatory. The percentages for 1939 and 1940 were higher than this amount, while those for the remaining years were somewhat lower. Of all defendants convicted of major offenses during the past 5 years, 28.1 percent were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1.--DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943
(Statistics are based on reports from a varying number of counties. The number of reporting counties out of the 39 counties of the State and the percent of the 1940 population of the State in these reporting counties are as follows: 1943, 37 counties, 95.5 percent; 1942, 38 counties, 96.9 percent; 1941, 36 counties, 95.7 percent; 1940 and 1939, all counties, 100.0 percent)

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	1,239	1,187	1,334	1,584	1,614	68.1	70.0	80.2	91.2	94.6
Murder.....	15	15	13	16	13	0.8	0.9	0.8	0.9	0.8
Manslaughter.....	42	33	49	42	29	2.3	1.9	2.9	2.4	1.7
Robbery.....	49	44	76	76	88	2.7	2.6	4.6	4.4	5.2
Aggravated assault.....	85	58	36	55	45	4.7	3.4	2.2	3.2	2.6
Burglary.....	225	227	257	324	377	12.4	13.4	15.5	18.7	22.1
Larceny, except auto theft.....	356	358	366	476	507	19.6	21.1	22.0	27.4	29.7
Auto theft.....	109	121	169	122	124	6.0	7.1	10.2	7.0	7.3
Embezzlement and fraud.....	9	14	28	51	10	0.5	0.8	1.7	2.9	0.6
Stolen property, receiving, etc.....	6	9	22	19	10	0.3	0.5	1.3	1.1	0.6
Forgery and counterfeiting.....	73	115	119	187	161	4.0	6.8	7.2	10.8	9.4
Rape.....	45	34	31	48	22	2.5	2.0	1.9	2.8	1.3
Other major offenses.....	225	159	168	168	228	12.4	9.4	10.1	9.7	13.4
DEFENDANTS CONVICTED										
Total.....	1,014	896	1,152	1,343	1,360	55.7	52.8	69.3	77.4	79.7
Murder.....	9	11	11	10	7	0.5	0.6	0.7	0.6	0.4
Manslaughter.....	34	22	35	26	17	1.9	1.3	2.1	1.5	1.0
Robbery.....	40	39	61	66	71	2.2	2.3	3.7	3.8	4.2
Aggravated assault.....	67	45	32	44	33	3.7	2.7	1.9	2.5	2.0
Burglary.....	195	188	236	300	349	10.7	11.1	14.2	17.3	20.5
Larceny, except auto theft.....	281	257	307	401	418	15.4	15.2	18.5	23.1	24.5
Auto theft.....	91	85	154	108	110	5.0	5.0	9.3	6.2	6.4
Embezzlement and fraud.....	6	8	23	31	5	0.3	0.5	1.4	1.8	0.3
Stolen property, receiving, etc.....	3	4	16	14	9	0.2	0.2	1.0	0.8	0.5
Forgery and counterfeiting.....	62	100	112	174	146	3.4	5.9	6.7	10.0	8.6
Rape.....	38	27	24	37	16	2.1	1.6	1.4	2.1	0.9
Other major offenses.....	188	110	141	132	179	10.3	6.5	8.5	7.6	10.5

¹ Based on estimate of civilian population for counties reporting. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.
² Based on Population census of 1940.
³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--WASHINGTON

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,239	100.0	1,187	100.0	1,334	100.0	1,534	100.0	1,614	100.0
Disposed of without conviction.....	225	18.2	291	24.5	182	13.6	241	15.2	254	15.7
Dismissed.....	162	13.1	196	16.5	140	10.5	186	11.7	177	11.0
Acquitted by court (jury waived).....	-	-	2	0.2	1	0.1	1	0.1	1	0.1
Acquitted by jury.....	36	3.1	42	3.5	39	2.9	40	2.5	56	3.6
Other no-penalty disposition.....	25	2.0	51	4.3	2	0.1	14	0.9	18	1.1
Convicted and sentenced.....	1,014	81.8	896	75.5	1,152	86.4	1,293	84.8	1,360	84.3
Pleaded guilty.....	902	72.8	824	69.4	1,022	76.6	1,234	77.9	1,233	76.5
Found guilty by court (jury waived).....	14	1.1	2	0.2	35	2.6	2	0.1	4	0.2
Found guilty by jury.....	98	7.9	70	5.9	95	7.1	107	6.8	121	7.5

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,014	100.0	896	100.0	1,152	100.0	1,243	100.0	1,360	100.0
Death penalty.....	-	-	2	0.2	1	0.1	4	0.3	2	0.1
Prison or reformatory.....	560	55.2	493	55.0	628	54.5	765	57.0	776	57.1
Probation or suspended sentence.....	276	27.2	239	26.7	369	32.0	381	28.4	356	26.2
Local jail or workhouse.....	149	14.7	142	15.8	139	12.1	182	13.6	208	14.9
Fine or costs only.....	27	2.7	11	1.2	13	1.1	10	0.7	12	0.9
Institution for juvenile delinquents only..	2	0.2	6	0.7	2	0.2	-	-	9	0.7
Other sentence.....	-	-	3	0.3	-	-	-	-	2	0.1

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED							
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no-penalty	Total	Pleaded guilty	Found guilty--									
				By court ¹	By jury				By court ¹	By jury								
All offenses.....	1,666	363	256	1	45	61	1,303	1,124	72	107	1,303	-	577	347	226	99	53	1
Major offenses.....	1,239	225	162	-	38	25	1,014	902	14	98	1,014	-	560	276	149	27	2	-
Murder.....	15	6	2	-	3	1	9	3	-	6	9	-	8	1	-	-	-	-
Manslaughter.....	42	8	1	-	7	-	34	26	-	8	34	-	11	11	1	-	-	-
Robbery.....	49	9	8	-	1	-	40	35	3	2	40	-	34	6	-	-	-	-
Aggravated assault.....	85	18	9	-	9	-	67	53	-	14	67	-	33	20	10	4	-	-
Burglary.....	225	30	22	-	3	5	195	178	1	16	195	-	135	56	3	1	-	-
Larceny, except auto theft..	356	75	57	-	9	9	281	258	8	15	281	-	124	88	60	8	1	-
Auto theft.....	109	18	17	-	1	-	91	85	2	4	91	-	46 ²	37	7	-	1	-
Embezzlement and fraud.....	9	3	3	-	-	-	6	5	-	1	6	-	4	2	-	-	-	-
Stolen property, receiving, etc.....	6	3	2	-	-	1	3	3	-	-	3	-	-	3	-	-	-	-
Forgery and counterfeiting..	73	11	10	-	-	1	62	61	-	1	62	-	45	14	2	1	-	-
Rape.....	45	7	4	-	2	1	38	26	-	12	38	-	32	2	3	1	-	-
Commercialized vice.....	8	1	1	-	-	-	7	3	-	4	7	-	6	-	1	-	-	-
Other sex offenses.....	149	27	18	-	3	6	122	111	-	11	122	-	51	22	44	5	-	-
Violating drug laws.....	4	1	1	-	-	-	3	2	-	1	3	-	3	-	-	-	-	-
Carrying, etc., weapons.....	8	2	2	-	-	-	6	6	-	-	6	-	-	-	2	4	-	-
Other major offenses.....	56	6	5	-	-	1	50	47	-	3	50	-	28	14	6	2	-	-
Abortion.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-
Arson.....	18	4	4	-	-	-	14	12	-	2	14	-	9	3	-	2	-	-
Bigamy.....	12	1	-	-	-	1	11	11	-	-	11	-	4	6	1	-	-	-
Blackmail and extortion...	2	-	-	-	-	-	2	2	-	-	2	-	1	1	-	-	-	-
Escape and jail break.....	12	-	-	-	-	-	12	12	-	-	12	-	10	-	2	-	-	-
Kidnaping.....	3	1	1	-	-	-	2	1	-	1	2	-	2	-	-	-	-	-
Perjury.....	8	-	-	-	-	-	8	8	-	-	8	-	1	4	3	-	-	-
Minor offenses ²	427	138	94	1	7	36	289	222	58	9	289	-	17	71	77	72	51	1

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

WISCONSIN

A total of 1,939 defendants were disposed of for major offenses in the reporting courts of Wisconsin during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 1,939 defendants, 1,588, or 81.9 percent, were convicted and sentenced; 589, or 37.1 percent, of the defendants convicted and sentenced were placed on probation or given a suspended sentence; and 571, or 36.0 percent, were sentenced to a State prison or reformatory. Of the 1,125 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 922, or 82.0 percent, were convicted; and of the 230 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 172, or 74.8 percent, were convicted.

Of the defendants disposed of for major offenses during 1943, more defendants were disposed of for larceny than for any other offense, with burglary following in second place, and the two offense groups together accounting for 33.4 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 82.8 percent of all defendants disposed of for major crimes were convicted. The percentage convicted decreased from 84.3 in 1939 to 81.3 in 1942, and then increased to 81.9 in 1943. In 1943, 69.5 percent of all defendants entered a plea of guilty, whereas only 1.7 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 40.2 percent were placed on probation or given a suspended sentence. The percentages for 1940, 1942, and 1943 fell below this amount, while those for

1939 and 1941 were somewhat higher. Of all defendants convicted of major offenses during the past 5 years, 35.5 percent were sentenced to a State prison or reformatory.

Under Wisconsin law, county, municipal, and superior courts in some counties exercise varying degrees of criminal jurisdiction concurrently with the circuit court. Not all courts which exercise original felony jurisdiction in these counties have submitted a report on criminal dispositions during the past 5 years. Reports from one or more courts were received from each of 62 of the 71 counties of the State in 1943, from 66 counties in 1942, from 67 counties in 1941 and 1940, and from 62 counties in 1939. It is estimated that the reporting courts account for not less than 73 percent of all the judicial criminal proceedings in the State in 1943; 72 percent, in 1942; 87 percent, in 1941; 90 percent, in 1940; and 83 percent, in 1939.

The statistics presented in this report are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during the calendar year 1943 and the preceding 4 years, are presented in table 1. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1. DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED FOR MAJOR OFFENSES: 1939 TO 1943

(See text for coverage)

OFFENSE	DEFENDANTS DISPOSED OF					DEFENDANTS CONVICTED				
	1943	1942	1941	1940	1939	1943	1942	1941	1940	1939
Total.....	1,939	2,247	2,710	3,192	3,225	1,588	1,826	2,232	2,664	2,719
Murder.....	18	19	18	19	12	15	12	14	15	11
Manslaughter.....	25	25	50	34	32	15	14	37	23	28
Robbery.....	67	75	101	104	87	58	64	85	91	81
Aggravated assault.....	60	87	124	98	134	46	72	110	83	101
Burglary.....	289	357	350	476	529	255	307	317	427	486
Larceny, except auto theft.....	359	450	547	761	810	305	370	474	681	726
Auto theft.....	150	201	244	233	229	125	178	209	194	199
Embezzlement and fraud.....	113	160	245	416	366	72	96	173	268	227
Stolen property, receiving, etc.....	27	38	21	57	52	14	29	19	47	39
Forgery and counterfeiting.....	120	213	319	308	258	93	190	242	273	241
Rape.....	127	136	186	195	186	96	78	142	147	157
Other major offenses.....	584	486	505	491	530	494	416	410	415	423

JUDICIAL CRIMINAL STATISTICS--WISCONSIN

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,939	100.0	2,247	100.0	2,710	100.0	3,192	100.0	3,225	100.0
Disposed of without conviction.....	351	18.1	421	18.7	478	17.6	528	16.5	506	15.7
Dismissed.....	278	14.3	311	13.8	330	12.2	409	12.8	388	12.0
Acquitted by court (jury waived).....	12	0.6	11	0.5	18	0.7	18	0.6	47	1.5
Acquitted by jury.....	20	1.0	25	1.1	32	1.2	16	0.5	27	0.8
Other no-penalty disposition.....	41	2.1	74	3.3	98	3.6	85	2.7	44	1.4
Convicted and sentenced.....	1,588	81.9	1,826	81.3	2,232	82.4	2,664	83.5	2,719	84.3
Plead guilty.....	1,347	69.5	1,338	68.4	1,890	69.7	2,378	74.5	2,373	73.6
Found guilty by court (jury waived).....	208	10.7	248	11.0	274	10.1	217	6.8	277	8.6
Found guilty by jury.....	33	1.7	40	1.8	68	2.5	69	2.2	69	2.1

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

(Death penalty not applicable in Wisconsin)

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced...	1,588	100.0	1,826	100.0	2,232	100.0	2,664	100.0	2,719	100.0
Prison or reformatory.....	571	36.0	700	38.3	899	40.3	917	34.4	830	30.5
Probation or suspended sentence.....	569	37.1	726	39.8	911	40.8	1,052	39.5	1,154	42.4
Local jail or workhouse.....	164	10.3	181	9.9	246	11.0	364	13.7	431	15.9
Fine or costs only.....	241	15.2	201	11.0	140	6.3	283	10.6	264	9.7
Institution for juvenile delinquents only..	20	1.3	14	0.8	25	1.1	36	1.4	36	1.3
Other sentence.....	3	0.2	4	0.2	11	0.5	12	0.5	4	0.1

Table 4. DISPOSITION IN REPORTING COURTS OF DEFENDANTS FOR ALL OFFENSES: 1943

(Death penalty not applicable in Wisconsin)

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED						
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Prison or reformatory	Probation or suspended sentence	Local jail or workhouse	Fine or costs only	Institution for juvenile delinquents only	Other sentence
		Total	Dismissed	Acquitted--		Other no penalty	Total	Plead guilty	Found guilty--								
				By court ¹	By jury				By court ¹	By jury							
All offenses.....	6,686	1,104	760	42	35	267	5,582	4,779	744	59	5,582	667	1,218	533	3,080	24	110
Major offenses.....	1,939	351	278	12	20	41	1,588	1,347	208	33	1,588	571	589	164	241	20	3
Murder.....	18	3	1	-	1	1	15	7	3	5	15	14	-	1	-	-	-
Manslaughter.....	25	10	6	-	3	1	15	10	3	2	15	10	4	-	1	-	-
Robbery.....	67	9	5	-	-	4	58	39	17	2	58	42	12	1	-	3	-
Aggravated assault.....	60	14	12	-	2	-	46	28	13	5	46	16	17	11	2	-	-
Burglary.....	289	34	31	-	1	2	255	219	30	6	255	116	129	7	1	2	-
Larceny, except auto theft..	359	54	42	4	-	8	305	251	53	1	305	54	141	40	64	6	-
Auto theft.....	150	25	19	-	-	6	125	108	17	-	125	38	67	11	5	4	-
Embezzlement and fraud.....	113	41	35	2	2	2	72	64	7	1	72	14	40	7	11	-	-
Stolen property, receiving, etc.....	27	13	12	1	-	-	14	14	-	-	14	2	9	-	3	-	-
Forgery and counterfeiting..	120	27	26	-	-	1	93	86	7	-	93	55	44	4	10	-	-
Rape.....	127	31	23	1	4	3	96	80	10	6	96	50	34	2	8	-	2
Commercialized vice.....	45	7	5	-	-	2	38	37	1	-	38	11	4	1	22	-	-
Other sex offenses.....	454	68	50	3	6	9	386	339	42	5	386	119	81	73	108	5	-
Violating drug laws.....	4	1	1	-	-	-	3	2	1	-	3	-	-	1	1	-	1
Carrying, etc., weapons.....	9	4	3	-	-	1	5	4	1	-	5	-	-	1	4	-	-
Other major offenses.....	72	10	7	1	1	1	62	59	3	-	62	50	7	4	1	-	-
Abortion.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arson.....	8	2	-	-	1	1	6	4	2	-	6	2	4	-	-	-	-
Bribery.....	3	-	-	-	-	-	3	2	1	-	3	2	1	-	-	-	-
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	48	5	1	1	-	-	43	43	-	-	43	40	-	3	-	-	-
Kidnaping.....	7	1	1	-	-	-	6	6	-	-	6	5	-	-	1	-	-
Perjury.....	5	1	1	-	-	-	4	4	-	-	4	1	2	1	-	-	-
Minor offenses ²	4,747	753	482	30	15	226	3,994	3,432	536	26	3,994	96	629	369	2,789	4	107

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

JUDICIAL CRIMINAL STATISTICS: 1943

WYOMING

A total of 224 defendants were disposed of for major offenses in the district courts of Wyoming during the calendar year 1943, according to reports received from the clerks of court by the Bureau of the Census. Of these 224 defendants, 176, or 78.6 percent, were convicted and sentenced; and 85, or 48.3 percent, of the defendants convicted and sentenced were sent to a State prison or reformatory. Of the 176 defendants disposed of for major crimes against property in 1943 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 142, or 80.7 percent, were convicted; and of the 40 persons disposed of for major crimes against the person (murder, manslaughter, aggravated assault, and rape) 27 were convicted.

The number of defendants disposed of for major offenses per 100,000 of the population decreased from 155.5 in 1939 to 80.2 in 1942, and then increased to 95.0 in 1943. The rate for defendants convicted of major offenses showed a general decline from 129.7 in 1939 to 74.7 in 1943, with increases in 1941 and 1943. More defendants were disposed of for larceny than for any other offense during 1943, with burglary following in second place, and the two offense groups together accounting for 45.5 percent of all major offense dispositions. (See table 1.)

During the past 5 years, 80.2 percent of all defendants disposed of for major crimes were convicted. In 1939, 83.4 percent of the defendants were convicted; in

1940, 77.6 percent; in 1941, 83.6 percent; in 1942, 74.7 percent; and in 1943, 78.6 percent. In 1943, 76.3 percent of all defendants entered a plea of guilty, whereas only 2.2 percent were found guilty by jury. (See table 2.)

Of all defendants convicted of major offenses during the past 5 years, 57.7 percent were sentenced to a State prison or reformatory. The percentages for 1941 and 1943 fell below this figure, and the percentages for the remaining years were somewhat higher. About 32 percent of all defendants convicted of major offenses during the past 5 years were placed on probation or given a suspended sentence.

The statistics presented here are for those persons actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was assigned to the most serious offense of which charged, and in the case of conviction, to the most serious offense of which convicted. The number of defendants disposed of for selected major offenses and also the number convicted, during 1943 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 of the population. Table 2 shows the procedural outcome of dispositions for major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants charged in 1943 are presented by offense in table 4.

Table 1.—DEFENDANTS DISPOSED OF AND DEFENDANTS CONVICTED, FOR MAJOR OFFENSES, WITH RATE PER 100,000 OF THE POPULATION: 1939 TO 1943

OFFENSE	NUMBER					RATE PER 100,000 OF THE POPULATION				
	1943	1942	1941	1940	1939	1943 ¹	1942 ¹	1941 ¹	1940 ²	1939 ³
DEFENDANTS DISPOSED OF										
Total.....	224	186	292	322	385	95.0	80.2	123.2	128.4	155.5
Murder.....	6	7	5	4	4	2.5	3.0	2.1	1.6	1.6
Manslaughter.....	3	8	2	5	7	1.3	3.4	0.8	2.0	2.8
Robbery.....	11	13	15	15	17	4.7	5.6	6.3	6.0	6.9
Aggravated assault.....	19	10	10	10	17	8.1	4.3	4.2	4.0	6.9
Burglary.....	38	14	57	72	98	16.1	6.0	24.0	28.7	39.6
Larceny, except auto theft.....	64	51	85	82	92	27.1	22.0	35.9	32.7	37.2
Auto theft.....	17	14	22	20	29	7.2	6.0	9.3	8.0	11.7
Embezzlement and fraud.....	11	8	10	28	22	4.7	3.4	4.2	11.2	8.9
Stolen property, receiving, etc.....	1	9	7	6	9	0.4	3.9	3.0	2.4	3.6
Forgery and counterfeiting.....	34	32	64	60	70	14.4	13.8	27.0	23.9	28.3
Rape.....	12	8	9	8	17	5.1	3.4	3.8	3.2	6.9
Other major offenses.....	8	12	6	12	3	3.4	5.2	2.5	4.8	1.2
DEFENDANTS CONVICTED										
Total.....	176	139	244	250	321	74.7	59.9	102.9	99.7	129.7
Murder.....	4	5	4	2	1	1.7	2.2	1.7	0.8	0.4
Manslaughter.....	3	4	2	3	4	1.3	1.7	0.8	1.2	1.6
Robbery.....	11	12	13	13	16	4.7	5.2	5.5	5.2	6.5
Aggravated assault.....	13	9	7	7	13	5.5	3.9	3.0	2.8	5.3
Burglary.....	29	10	50	65	91	12.3	4.3	21.1	25.9	36.8
Larceny, except auto theft.....	53	42	75	65	77	22.5	18.1	31.6	25.9	31.1
Auto theft.....	16	10	13	13	26	6.8	4.3	5.5	5.2	10.5
Embezzlement and fraud.....	8	6	6	13	16	3.4	2.6	2.5	5.2	6.5
Stolen property, receiving, etc.....	1	6	7	5	5	0.4	2.6	3.0	2.0	2.0
Forgery and counterfeiting.....	24	24	59	50	61	10.2	10.3	24.9	19.9	24.6
Rape.....	7	4	3	4	9	3.0	1.7	1.3	1.6	3.6
Other major offenses.....	7	7	5	10	2	3.0	3.0	2.1	4.0	0.8

¹ Based on estimate of civilian population of the State. Rates for 1941 differ, therefore, from rates previously published which were based on the Population census of 1940.

² Based on Population census of 1940.

³ Based on estimate of total population of the State.

JUDICIAL CRIMINAL STATISTICS--WYOMING

Table 2. PROCEDURAL OUTCOME FOR DEFENDANTS DISPOSED OF FOR MAJOR OFFENSES: 1939 TO 1943

PROCEDURAL OUTCOME	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	224	100.0	186	100.0	292	100.0	322	100.0	260	100.0
Disposed of without conviction.....	48	21.4	47	25.3	48	16.4	72	22.4	64	16.6
Dismissed.....	36	17.0	36	19.4	36	12.3	68	19.6	54	14.0
Acquitted by court (jury waived).....	-	-	-	-	-	-	-	-	-	-
Acquitted by jury.....	5	2.2	5	2.7	9	3.1	7	2.2	9	2.3
Other no-penalty disposition.....	5	2.2	6	3.2	3	1.0	2	0.6	1	0.3
Convicted and sentenced.....	176	78.6	139	74.7	244	83.6	250	77.6	221	83.4
Fleeced guilty.....	171	76.3	134	72.0	238	81.5	237	73.6	211	80.8
Found guilty by court (jury waived).....	-	-	2	1.1	1	0.3	6	1.9	-	-
Found guilty by jury.....	5	2.2	3	1.6	5	1.7	7	2.2	10	3.6

Table 3. TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1939 TO 1943

SENTENCE	1943		1942		1941		1940		1939	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants convicted and sentenced....	176	100.0	139	100.0	244	100.0	250	100.0	221	100.0
Death penalty.....	1	0.6	-	-	-	-	-	-	-	-
Prison or reformatory.....	85	48.3	89	64.0	135	55.3	147	58.8	194	61.1
Probation or suspended sentence.....	74	42.0	34	24.5	85	34.8	78	31.2	89	27.7
Local jail or workhouse.....	5	2.8	8	5.8	18	7.3	8	3.2	10	3.1
Fine or costs only.....	2	1.1	4	2.9	1	0.4	4	1.6	6	1.9
Institution for juvenile delinquents only..	9	5.1	4	2.9	10	4.1	13	5.2	20	6.2
Other sentence.....	-	-	-	-	-	-	-	-	-	-

Table 4. DISPOSITION OF DEFENDANTS FOR ALL OFFENSES: 1943

OFFENSE	PROCEDURAL OUTCOME FOR TOTAL DEFENDANTS										SENTENCE FOR THOSE CONVICTED								
	Total defendants disposed of	Disposed of without conviction					Convicted and sentenced				Total	Death penalty	Prison or reformatory	Probation or suspended sentence	Local jail or work-house	Fine or costs only	Insti-tution for juvenile delin-quents only	Other sen-tence	
		Total	Dis-missed	Acquitted--		Other no-pen-alty	Total	Fleeced guilty	Found guilty--										
				By court ¹	By jury				By court ¹	By jury									
All offense.....	308	69	59	-	5	5	239	213	21	5	239	1	88	106	5	7	29	1	
Major offense.....	224	48	38	-	5	5	176	171	-	5	176	1	85	74	5	2	9	-	
Murder.....	6	2	-	-	2	-	4	2	-	2	4	1	2	-	1	-	-	-	
Manslaughter.....	3	-	-	-	-	-	3	3	-	-	3	-	1	1	1	-	-	-	
Robbery.....	11	-	-	-	-	-	11	11	-	-	11	-	5	5	-	-	1	-	
Aggravated assault.....	19	6	6	-	-	-	13	13	-	-	13	-	4	2	3	2	2	-	
Burglary.....	38	9	6	-	-	3	29	29	-	-	29	-	11	17	-	-	1	-	
Larceny, except auto theft..	64	11	7	-	2	2	53	53	-	-	53	-	28	21	-	-	4	-	
Auto theft.....	17	1	1	-	-	-	16	16	-	-	16	-	2	14	-	-	-	-	
Embezzlement and fraud.....	11	3	3	-	-	-	8	8	-	-	8	-	3	5	-	-	-	-	
Stolen property, receiving, etc.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Forgery and counterfeiting..	34	10	10	-	-	-	24	24	-	-	24	-	16	8	-	-	-	-	
Repe.....	12	5	4	-	1	-	7	6	-	1	7	-	7	-	-	-	-	-	
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other sex offenses.....	3	-	-	-	-	-	3	1	-	2	3	-	2	1	-	-	-	-	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other major offenses.....	5	1	1	-	-	-	4	4	-	-	4	-	3	-	-	-	1	-	
Abortion.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Arson.....	1	-	-	-	-	-	1	1	-	-	1	-	-	-	-	-	1	-	
Bigamy.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	2	-	-	-	-	-	2	2	-	-	2	-	2	-	-	-	-	-	
Kidnaping.....	1	-	-	-	-	-	1	1	-	-	1	-	1	-	-	-	-	-	
Perjury.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Minor offenses ²	84	21	21	-	-	-	63	42	21	-	63	-	3	34	-	5	20	1	

¹ Jury waived.² This group includes minor assault; nonsupport; violating liquor, gambling, or driving laws; and all other offenses generally classified as misdemeanors which are usually tried in minor courts.

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HENRY A. WALLACE, Secretary

BUREAU OF THE CENSUS

J. C. CAPT, Director

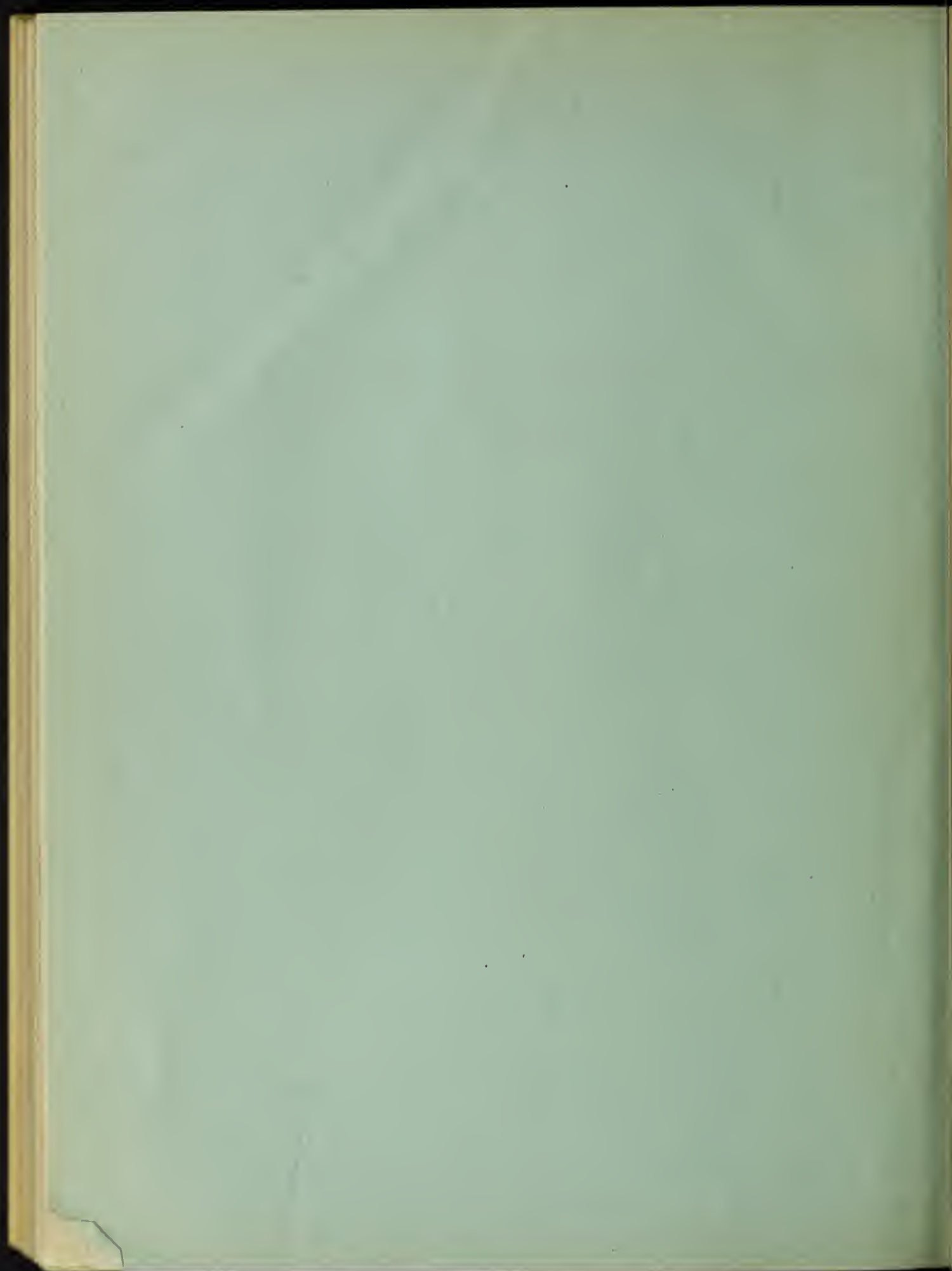
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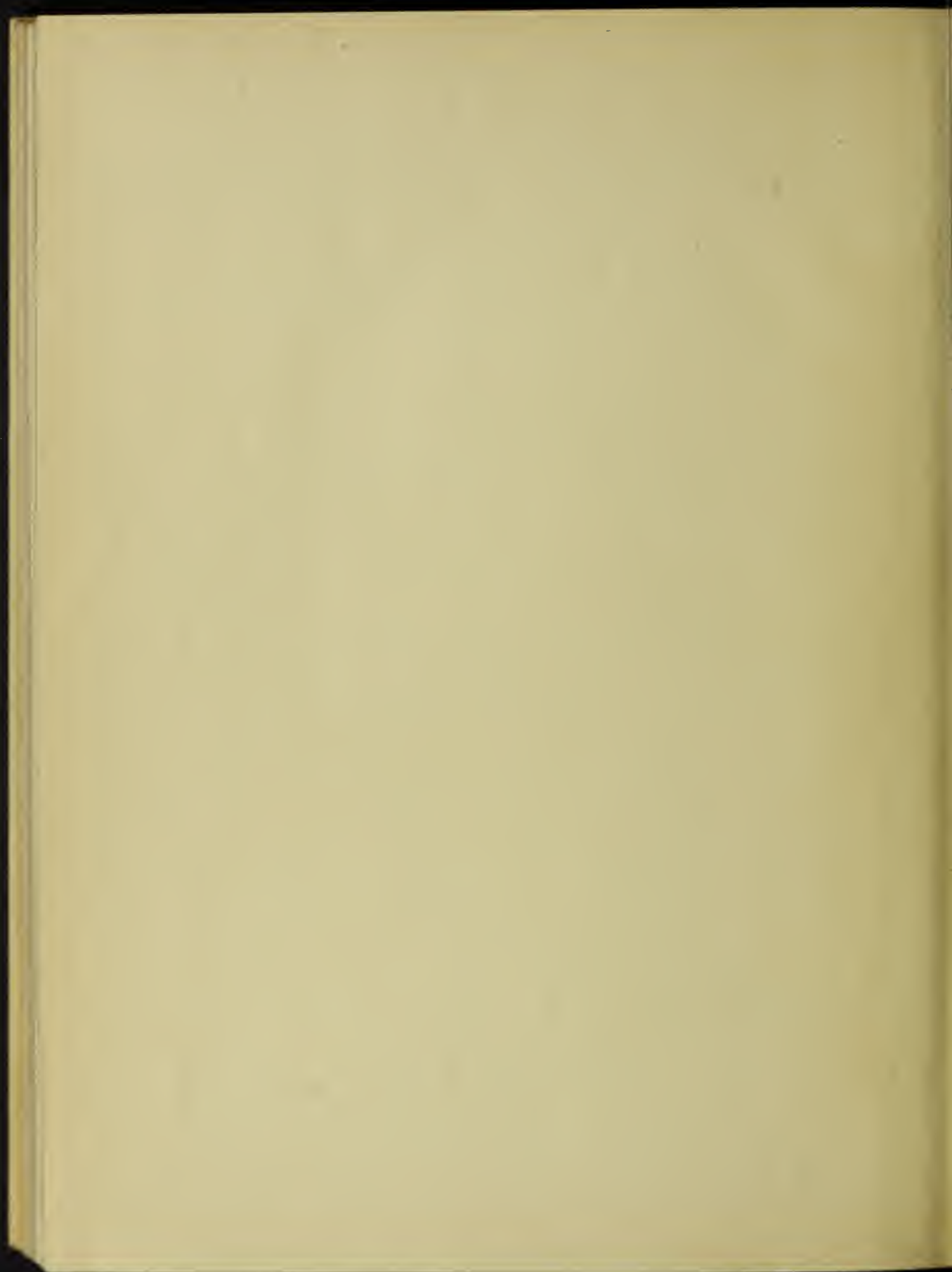
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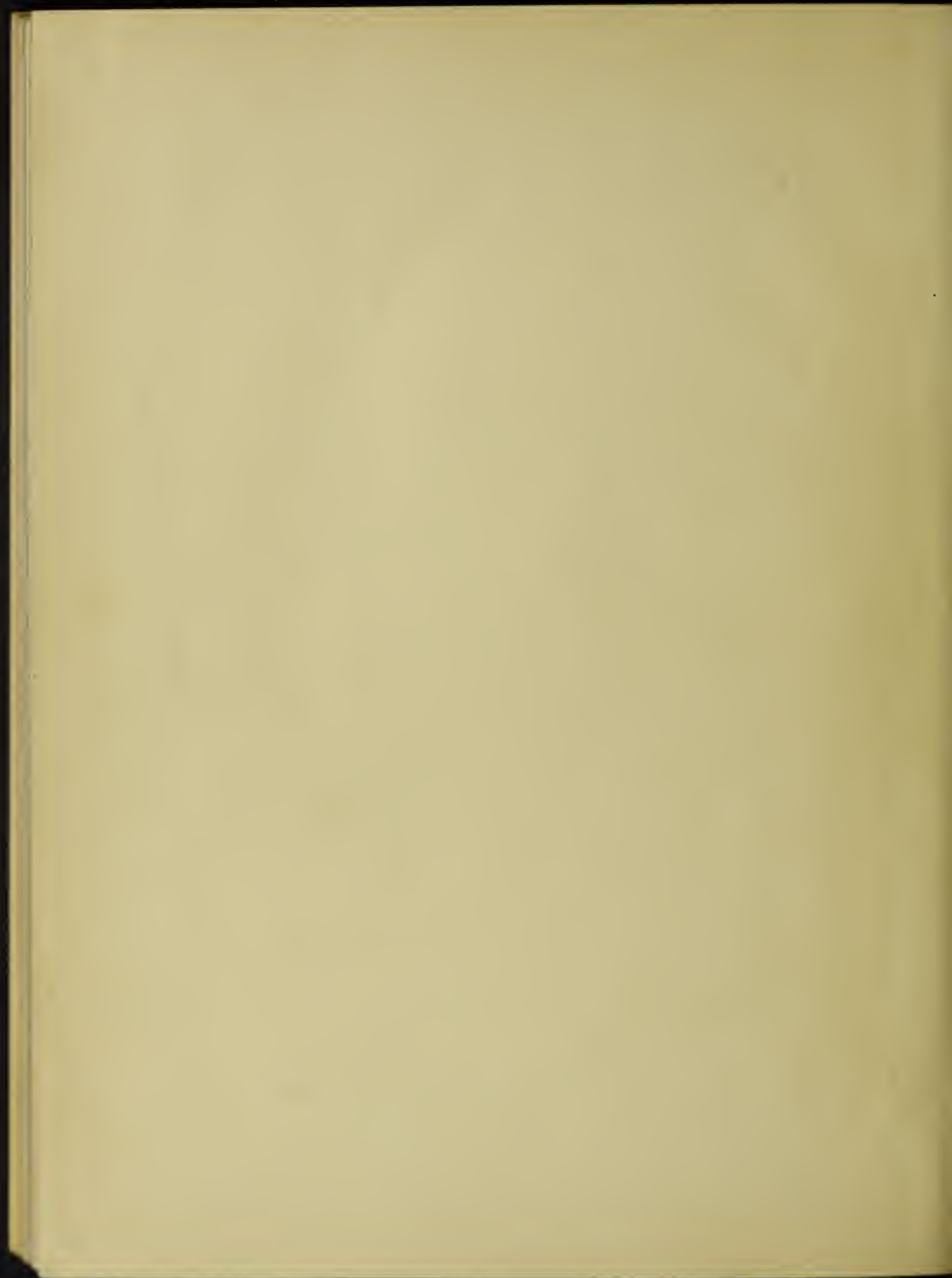


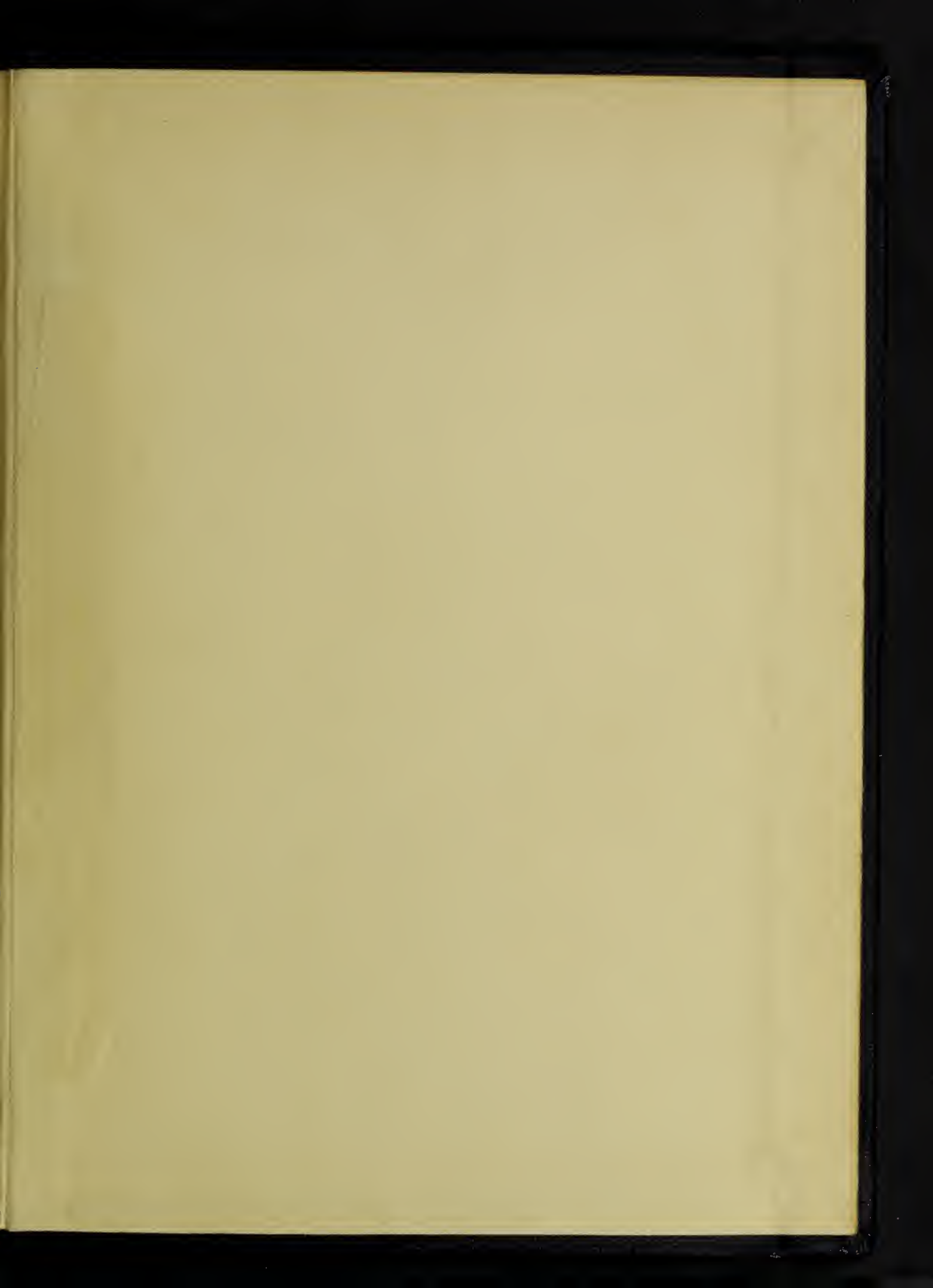
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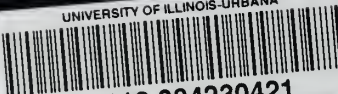








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